



PLANNING COMMISSION

Wednesday, August 8, 2018

7:00 PM

Rockville City Hall

Mayor and Council Chambers

Meeting No. 13-2018

AGENDA

Gail Sherman, Chair

Don Hadley	Anne Goodman
Charles Littlefield	John Tyner, II
Sarah Miller	Rev. Jane E. Wood

Jim Wasilak, Staff Liaison
Cynthia Walters, Deputy City Attorney
Eliot Schaefer, Assistant City Attorney

1. Review and Action

- A. Level 2 Site Plan STP2018-00354 - for Construction of a 1,503 Square Foot Garage Building in the MXT (Mixed-Use Transition) Zone at 107 West Jefferson Street; Alvin Aubinoe, Applicant.**

Attachments: [Site Plan](#) [Landscape](#)

2. Discussion

- 1. Rockville 2040 Comprehensive Master Plan: Proposed Structure and Schedule**

3. Commission Items

- A. Staff Liaison Report**

- B. Old Business**
-

C. New Business

D. Minutes Approval

- 1. Planning Commission – Regular Meeting – July 25, 2018**
- 2. Planning Commission - Regular Meeting -January 24, 2018**
- 3. Planning Commission -Regular Meeting -February 14, 2018**

E. FYI/Correspondence

- 4. Adjourn**
-

HELPFUL INFORMATION FOR STAKEHOLDERS AND APPLICANTS**I. GENERAL ORDER OF SESSION FOR DEVELOPMENT APPLICATIONS**

1. Staff presentation
2. City Board or Commission comment
3. Applicant presentation (10 min.)
4. Public comment (3 min, or 5 min for the representative of an association)
5. Planning Commission Discussion and Deliberation
6. Decision or recommendation by vote

The Commission may ask questions of any party at any time during the proceedings.

II. PLANNING COMMISSION BROADCAST

- Watch LIVE on Comcast Cable Rockville Channel 11 and online at: www.rockvillemd.gov
- Replay on Comcast Cable Channel 11:
 - Wednesdays at 7:00 pm (if no live meeting)
 - Sundays at 7:00 pm
 - Mondays, Thursdays and Saturdays at 1:00 pm
 - Saturdays and Sundays at 12:00 am (midnight)
- Video on Demand (within 48 hours of meeting) at: www.rockvillemd.gov/VideoOnDemand.

III. NEW DEVELOPMENT APPLICATIONS

- For a complete list of all applications on file, visit: www.rockvillemd.gov/DevelopmentWatch.

VI. ADDITIONAL INFORMATION RESOURCES

- Additional resources are available to anyone who would like more information about the planning and development review process on the City's web site at: www.rockvillemd.gov/cpds.

Maryland law and the Planning Commission's Rules of Procedure regarding ex parte (extra-record) communications require all discussion, review, and consideration of the Commission's business take place only during the Commission's consideration of the item at a scheduled meeting. Telephone calls and meetings with Commission members in advance of the meeting are not permitted. Written communications will be directed to appropriate staff members for response and included in briefing materials for all members of the Commission.



Agenda Item #:	A
Meeting Date:	August 8, 2018
Responsible Staff:	Nicole Walters

SUBJECT:

Level 2 Site Plan STP2018-00354 - for Construction of a 1,503 Square Foot Garage Building in the MXT (Mixed-Use Transition) Zone at 107 West Jefferson Street; Alvin Aubinoe, Applicant.

RECOMMENDATION

(Include change in law or Policy if appropriate in this section):

Approval, subject to the findings and conditions noted in the staff report.



Overview

Case: Level 2 Site Plan STP2018-00354

Location: 107 West Jefferson Street

Staff: Nicole Walters
Planning Division
240-314-8215
nwalters@rockvillemd.gov

Applicant: Alvin Aubinoe
107 West Jefferson Street
Rockville, Maryland 20850

Filing Date: May 15, 2018

Exhibits: 1. Site Plan
2. Aerial Map
3. Planned Land Use Map
4. Zoning Map

Attachments: 1. Applicant's submission materials
2. Amended Landscape Plan
3. MXT Design Guidelines
4. Pre-Application Area Meeting Materials
5. Post- Application Area Meeting Materials

Background

The property, located on the north side of West Jefferson Street between South Adams Street (east) and South Van Buren Street (west), is the site of the Lockett House, which was constructed in the late 1800s. The former residence, which contains approximately 2,600 square feet of gross floor area, was most recently used as a law office. The property is within the West Montgomery Avenue Historic District, and any improvements made to the structures and site are subject to review and approval by the Historic District Commission (HDC).

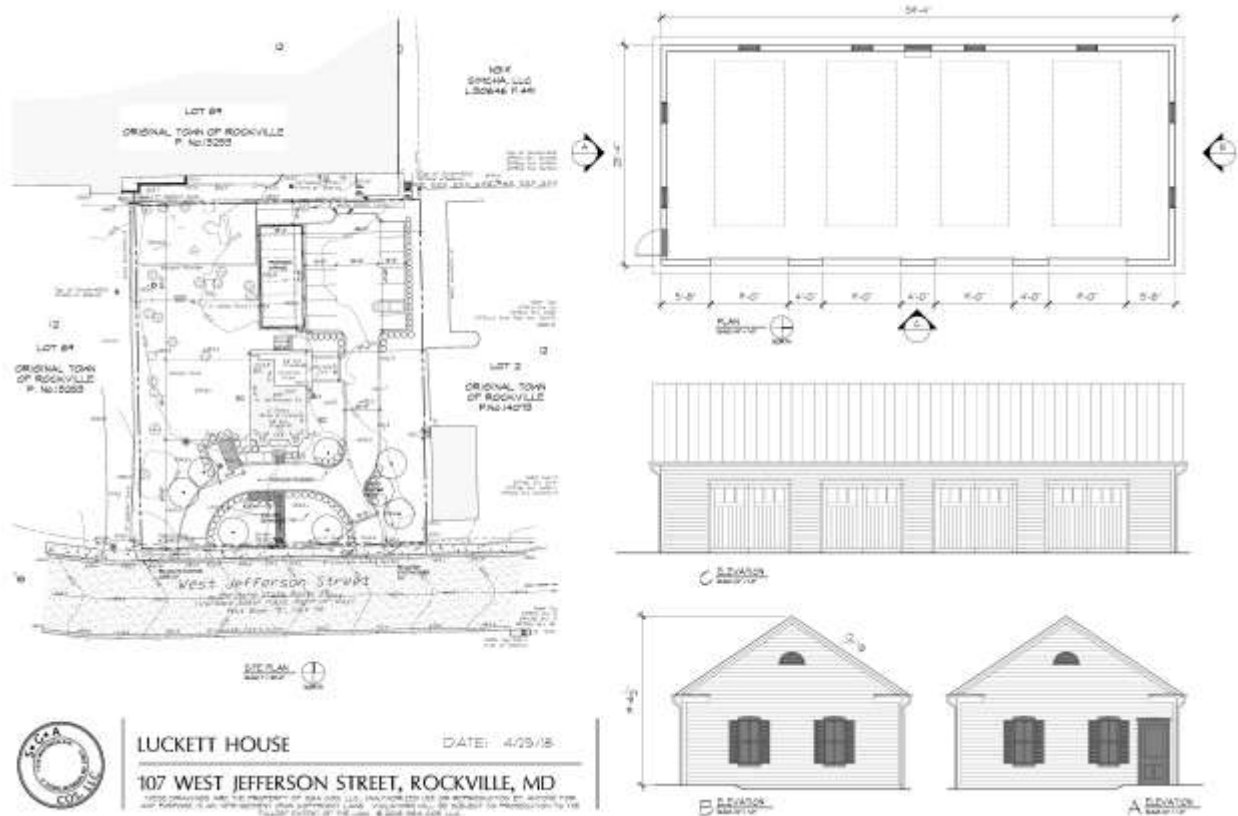
The property is zoned MXT (Mixed-use Transition), and was rezoned to the then O-2 (Transitional Office) Zone in April 1976, by action of the Mayor and Council. The approval of Use Permit Application U-41-76 by the Planning Commission on June 18, 1976, allowed for the conversion of the dwelling into a professional office use. The property originally had a large stable and another building behind the house. Sometime after 1924, the stable was replaced with a parking lot, with an entrance from Jefferson Street, to serve the clients of the law office. When the law offices were approved in 1976, the demolition of the stable was also proposed.

The property was recently purchased by Aubinoe Management, an established property maintenance company that specializes in commercial, residential, and homeowner association properties throughout the Washington, D.C. area. They will be relocating their offices, currently in downtown Bethesda, to the subject property. The house will serve as an office and place for meeting with clients of the company.

Project Description

The applicant seeks approval to construct a new detached one-story, 4-car garage at the rear of the property. The garage will be located directly behind, and perpendicular, to the former house. Vehicular access to the garage will be through four (4) barn-style garage doors located on the east side of the building. The garage will have four evenly spaced windows on the west side and two windows on the north and south sides. An entry door will also be located on the south side of the garage. The building will mimic the main building's details inclusive of working shutters. Landscaping will be installed at the entry to the rear of the property to soften and conceal some of the new construction (Attachment 1). Use of the garage will be to store company vehicles that will remain on-site overnight. If necessary, the garage will store any equipment related to the services that the company provides. The applicant affirms that the garage will not store hazardous materials.

Proposed garage dimensions are: 59'4" wide by 25'4" deep by 15'6½" tall to the midpoint of the roof (or 19'6½" high to the peak of the roof). The proposed floor area is 1,503 square feet.



Proposed Garage

Per Section 25.05.07.c.1 of the Zoning Ordinance, when the Chief of Planning determines that a requested change is too significant to be a minor change but is not so substantial as to require an entirely new application for approval, the requested change is considered a Major Site Plan Amendment and must be reviewed and approved by the original Approving Authority (in this case the Planning Commission) as an amendment to the original development approval. Based on this determination the Site Plan Application is being processed as a Level 2 Site Plan. Following this application, the applicant will be required to go back to the Historic District Commission for a Certificate of Approval for the 4-car garage.

Site Description

Master Plan Land Use:	Public Office
Zoning District:	Mixed-Use Transition (MXT)
Existing Use:	Office
Parcel Area:	32,598 square feet
Subdivision:	Original Town of Rockville
Building Floor Area:	1,503 square feet
Building Height:	15' 6½ inches to the mid-point of the roof; 19' 6 ½ inches to the peak
Parking:	Minimum required: 9 spaces; 19 spaces provided

Surrounding Land Use and Zoning

	Zoning	Planned Land Use	Existing Use
North	MXT (Mixed-Use)	Public Institutional	Church

	Transition)		
East	MXT (Mixed-Use Transition)	Public Office	Office
South	MXT (Mixed-Use Transition)	PO/PRSFD/PPOS	Office, Single Family, Public Park, and Open Space
West	MXT (Mixed-Use Transition)	Public Institutional	Church

Previous Related Actions

- Map Amendment Application M-2-75, for rezoning from the R-90 Zone to the former O-2 (Transitional Office) Zone. Approved by Mayor and Council adoption of Ordinance No. 12-76 on April 12, 1976.
 - Use Permit Application U-41-76 for the conversion of the dwelling to professional office use. Approved by the Planning Commission on June 23, 1976.
 - Historic District Commission Application HDC2016-00784 - Courtesy Review for a 6-car garage and other site improvements.
 - Historic District Commission Application HDC2017-00835 - Certificate of Approval to reconfigure the existing driveway, add a one-way circular driveway and adjacent accessible parking, add a new curb cut on West Jefferson Street, add pervious pavement, and install new landscaping. Approved by the HDC on March 17, 2017.
 - Minor Site Plan Application STP2017-00297- allowed for the removal of a portion of the existing driveway along the eastern property line, installation of a one-way circular driveway with adjacent handicap parking space, and reconfiguration of the existing parking lot. Additional site improvements include landscape changes. Approved by the Chief of Zoning on February 2, 2017.
-

Project Analysis

Master Plan

Land Use Designation

The 2002 Approved and Adopted City of Rockville Master Plan Land Use Map (Exhibit 3), indicates that this property is classified as Preferred Office (PO).

Master Plan Compliance

The subject property is located in Planning Area 4, West End-Woodley Gardens East/West Neighborhood. The Master Plan Planned Land Use Map acknowledges this, and recommends the property for Office Uses, which is consistent with the current use of the property.

The 1989 Planning Area 4 neighborhood plan recommended office use for the property and confirmed the then O-2 Zone as appropriate for the site.

Infrastructure/Adequate Public Facilities Standards (APFS)

Roads and Transportation

This application proposes the addition of a 4-car parking garage at the rear of the property, where it is already improved with surface parking spaces. The new garage is considered an ancillary structure to the main building. Since the application proposes no change to the existing building or use of the property, there is no transportation impact.

Water and Sewer

This application is to add a 4-car garage structure at the rear of the property. The garage will have no impacts on water and sewer service.

Schools

The proposed building is associated with a nonresidential use; therefore, no impact will be placed upon the school system.

Transportation and Circulation

Parking

Parking for the site is based on the requirement for office use. The building is approximately 2,600 square feet. The Zoning Ordinance requires one (1) space per 300 gross square feet, including cellars or basements intended for occupancy. Based on that requirement, nine (9) parking spaces are required. After completion of the 4-car garage, a total of 19 parking spaces will be provided on-site.

Access

Vehicular access to the site is from West Jefferson Street.

Traffic

This application is to add a 4-space garage structure at the rear of the property. The new garage is considered an ancillary structure to the main building. Since the application proposes no change to the existing use, there is no change in traffic impact.

Bicycle/Pedestrian Access

Since the application proposes no changes to change the existing office building, no new bicycle parking spaces are required. The applicant has made updates to the pedestrian access to the existing building via STP2017-00297.

Transit

The site is located within approximately 0.5-mile walking distance from the Rockville Metrorail station. Bus Service is provided along West Jefferson Street via Montgomery County's Ride-On system. Ride-On Routes 54 and 63 serves the nearest stop.

Historic Resources

The property is located within the West Montgomery Avenue Historic District.

On February 18, 2016, the Historic District Commission approved exterior work to the former residence per Certificate of Approval HDC2016-00782, and at the same meeting, the Historic District Commission conducted a Courtesy Review of the proposed garage. At the time, the proposal was to construct a six-car garage. Following action by the Planning Commission, the applicant will return to the Historic District Commission to obtain a Certificate of Approval for the garage as proposed.

On March 16, 2017, the Historic District Commission (HDC) approved Certificate of Approval application HDC2017-00835, to reconfigure the existing driveway, add a one-way circular drive and adjacent accessible parking, add new curb cuts, add pervious pavement, and install new landscaping. Subsequent to the HDC approval, the applicant received approval of minor site plan amendment STP2017-00297 on February 2, 2017 for those improvements. The approval allowed for: the removal of a portion of the existing driveway along the eastern property line, the installation of a new curb cut and a curved driveway at the front of the building, an accessible ramp, parking beside the building, and landscaping.

Environment

The site is located within the Cabin John Creek watershed and does not contain streams, floodplain, or associated buffer/building restriction lines. The entire site is considered non-forested. No rare, threatened or endangered plant or animal species were observed on site or are recorded among the MD Department of Natural Resources records. Highly erodible soils are not present. Therefore, the project is not subject to any of the recommendations in the Environmental Guidelines.

Forest Conservation

The applicant applied for a Forest Conservation Plan (FCP) amendment, while the plan approved under the original FCP was under construction. Information described below represents the cumulative requirements for the site, including the original plan and the amendment to add a garage structure:

In accordance with the FTPO (Forest and Tree Preservation Ordinance), the 0.75-acre site is required to comply with the following requirements: minimum tree cover, and significant tree replacement. The project will meet Minimum Tree Cover and Significant Tree Replacement requirements onsite. Forest Conservation is not required on this site due to its size.

The site contains fourteen significant trees. None of these are specimen trees. Significant trees are defined as trees 12" diameter at breast height (DBH) and greater located outside of forest, and trees 24" DBH and greater within the forest. Specimen trees are defined as trees with a diameter equal to or greater than 30" DBH. Significant trees on the site range from good to poor condition. Eight significant trees are proposed for removal. Six trees proposed for removal are classified as non-native, invasive species, one removal is a *Fraxinus americana*/white ash, which is diseased, and one tree is a healthy native *Juglans nigra*/black walnut. The replacement requirement for removals is twelve trees. All trees will be replaced onsite. No fee-in-lieu is requested.

The minimum tree cover requirement is 15% of the tract area/site, or 0.11 acres of tree cover. This requirement will be substantially exceeded through preservation of existing trees onsite (~0.13 acres) and new tree plantings (0.16 acres) to meet significant tree replacement requirements.

Landscaping

The landscape plan provides for tree and shrub planting. The landscaping provided on the approved plan exceeds FTPO and Landscape Manual requirements. Nine species of tree are proposed, with the majority (78%) being native to the Mid-Atlantic region. Shade trees make up 40% of the tree planting, evergreen trees make up 32%, and ornamental trees make up 32%. Seven (7) shrub species are represented, of which 29% are native to the Mid-Atlantic region. Deciduous shrubs make up 43%, and evergreens make up 57%.

The landscape manual requires a parking lot perimeter landscape strip to buffer the adjacent property, which is being met with shade trees, evergreen trees, and evergreen and deciduous

shrubs. The landscape manual requires internal parking lot canopy coverage of 5%, which is being met with native deciduous shade trees. (Attachment 2).

Noise

The project will comply with this requirement. The applicant is aware of the acceptable hours in which to work and is fully aware of the noise regulations set forth in Chapter 31B of the Montgomery County Code.

Stormwater Management

Stormwater Management for the site is provided via the existing pervious pavement driveway and parking area. The proposed development for a detached garage will satisfy stormwater requirements through monetary contribution.

Sediment Control

Sediment control is required for the protection of the existing SWM pervious pavement. Approval of a sediment control permit is a condition of the STP approval.

Zoning Ordinance Compliance

In accordance with Section 25.13.03 of the City of Rockville Zoning Ordinance, office is a permitted in the Mixed-Use Transition (MXT) Zone, which is consistent with the recommendation in the Comprehensive Master Plan.

Zone {MXT}	Maximum Height	Open Area and Public Use Space		Minimum width at front lot line
		Total Open Area	Public Use Space	
Allowed/ Required	35'	10% (3,259 s.f.)	10% (3,259 s.f.)	10'
Proposed	19-6 ½" (to the peak)	28.0% (9,130 s.f.)	28.0% (9,130 s.f.)	164'
Setbacks				
Public Right-of- Way Abutting	Side		Rear	
	Residential Land Abutting	Non-Residential Land Abutting	Residential Land Abutting	Non-Residential Land Abutting
Required	10'	None'	20'	0' or 10' if provided
Provided	n/a	71' (north west side) 64' (south west side)	n/a	13' (detached garage)

MXT Design Guidelines

The project as proposed conforms to general mixed-use design guidelines and the specific Mixed-Use Transit (MXT) Zone design guidelines. Staff has addressed how the proposed project conforms to these design guidelines in Attachment 3.

Community Outreach

In accordance with the Zoning Ordinance requirements, the applicant conducted the required pre-application area meeting on February 8, 2018, which 12 people attended. Minutes from this meeting, as

well as a list of attendees, is provided in Attachment 4. The applicant conducted the required post-application area meeting on June 14, 2018, with 4 people attending. Minutes from this meeting, as well as a list of attendees, is provided in Attachment 5. In addition to the notice required for all Level 2 Site Plan Applications, electronic notice was sent to by the applicant to all homeowner and civic associations within the City, the Planning Commission and the Mayor and Council.

Findings

- i. **Adversely affect the health and safety of persons residing or working in the neighborhood of the proposed development;**
Staff has found no evidence that the proposed 4-car garage would adversely affect the health and safety of persons residing or working in or adjacent to this development. The proposed garage will be located directly behind the house, perpendicular to the house and its design and materials will be compatible with the house. The location of the proposed new garage is close to the location of a large stable that was once on the site before the use of the property was changed. Landscaping will be installed leading to the rear of the property to soften the visual impacts of the garage. With the exception of the accessible parking area being constructed on the west of the office building, parking for visitors and staff will be located at the rear of the property.
Independent of the subject application, the applicant has made improvements to the property to restore the residential character of this historic property and improve the overall function of the site. Staff has found no evidence that the proposed garage would adversely affect the health or safety of persons residing or working in the surrounding neighborhood.
- ii. **Be detrimental to the public welfare or injurious to property or improvements in the neighborhood;**
Constructing a garage will not be detrimental to the public or injurious to the property or improvements in the neighborhood. The office use is not changing, although the building has been vacant for a few years. The applicant will use the garage to park the company's service vehicles that need to remain at the site overnight. Staff has found no evidence that the garage will be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.
- iii. **Overburden existing and programmed public facilities as set forth in Article 20 of this Chapter and as provided in the adopted Adequate Public Facilities Standards;**
The proposed garage is ancillary to the main building and no public facilities are proposed. Therefore, as proposed the garage will not overburden programmed public facilities.
- iv. **Adversely affect natural resources or environment of the City or surrounding areas;**
The proposed garage will be constructed on top of the existing pavement and therefore, will not affect the natural resources or environment of the City or surrounding areas. The applicant as indicated in the report is adding more landscaping than required. Staff has found no evidence that this project would adversely affect the natural resources or environment of the surrounding areas.
- v. **Be in conflict with the Plan;**
The project is not in conflict with the Master Plan. The proposed office use is not changing because of this project. Continued use of the property as office will not be in conflict with the Plan.
- vi. **Constitute a violation of any provision of this Chapter or other applicable law; or**

The application complies with all provisions contained in the Zoning Ordinance. The garage as proposed complies with the development standards required in the MXT zone as indicated in Article 13 of the Zoning Ordinance.

vii. Be incompatible with the surrounding uses or properties.

The planned use of the property will continue to comply with the Master Plan's land use designation of the site area. The proposed garage is ancillary to the use of the property and will be compatible with the main building. Based on this information staff finds, that with the construction of the garage, the use will continue to be compatible with the surrounding uses and properties.

Conditions

Approval is recommended subject to the following conditions.

Planning Division

1. Submission for review and approval (6 copies) of the site plan, revised according to any revisions required by the Planning Commission.
2. Proposed site improvements and building construction must be conducted in substantial accordance with the site development and building plans submitted or as may be modified by the Planning Commission in its decision of approval.
3. The applicant must obtain an occupancy permit, prior to occupying either building on the property.

Department of Public Works

4. Submit a Stormwater Management Permit (SMP) Application, including the minimum application and plan review fee as indicated in the letter to the applicant.
5. Applicant shall contribute to the City Stormwater Fund as a SWM Alternative on-site management for the portion of the new and replacement impervious area within the limits of disturbance. Payment of the monetary contribution is required prior to the issuance of the Building Permit.
6. The site plan must demonstrate safe conveyance of storm flows within the site and leaving the site.
7. In accordance with Chapter 19, Section 19-85(b), a Sediment Control Permit is required for the protection of the existing SWM pervious pavement. Submit a Sediment Control Permit (SCP) Application, including the minimum application and plan review fee, in conjunction with a Sediment Control Plan for review and approval by the Department of Public Works.

Forestry Division

8. The applicant shall obtain approval of the Amended Forest Conservation Plan prior to the issuance of a building permit for the garage.
9. The applicant shall post a surety in a form and amount acceptable to the City prior to the issuance of the building permit for the garage.

Exhibit 1: Site Plan

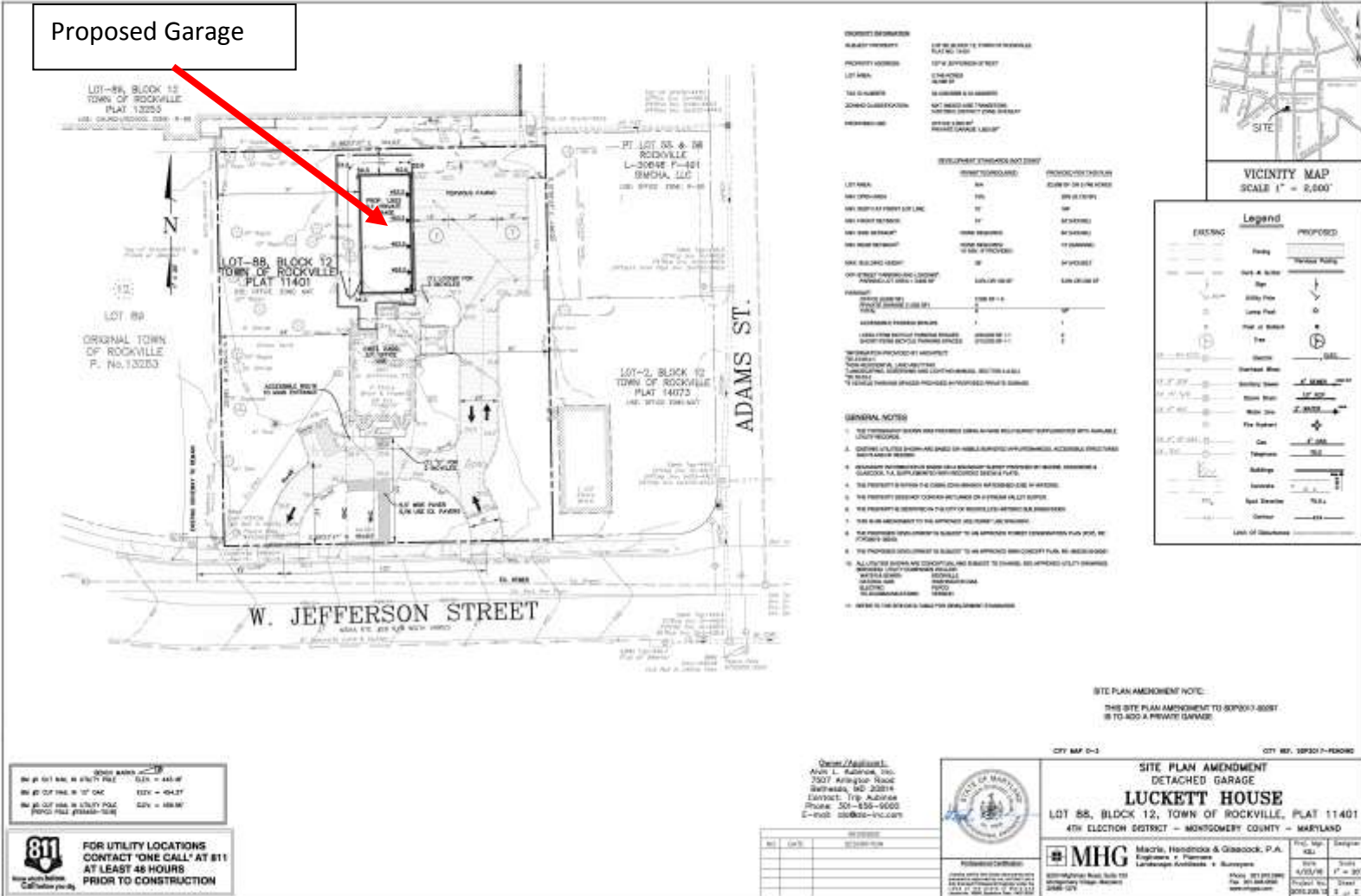


Exhibit 2: Aerial Map



Case Number: STP2018-00354

Address: 107 West Jefferson Street

Project Name: 4-car garage

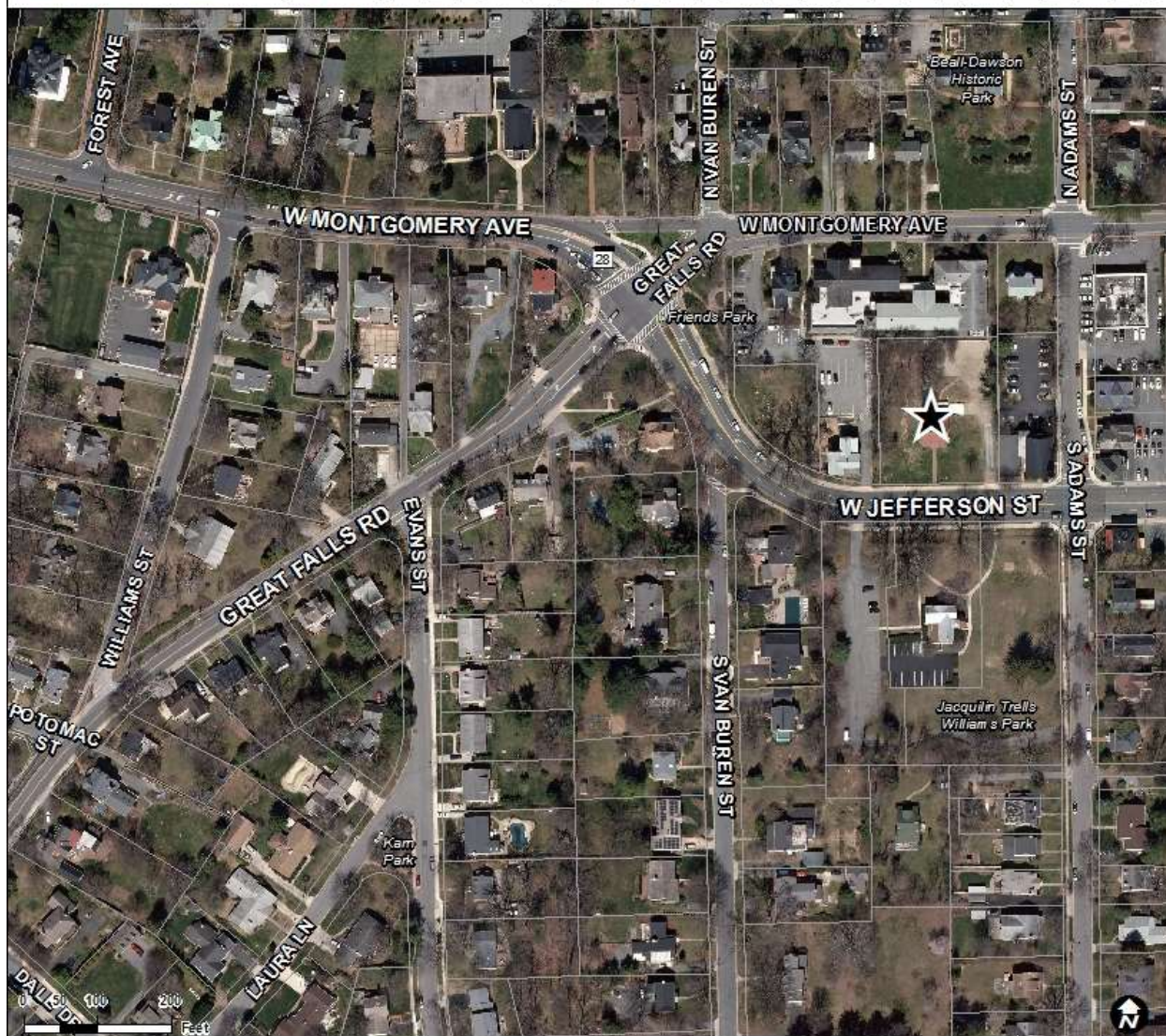


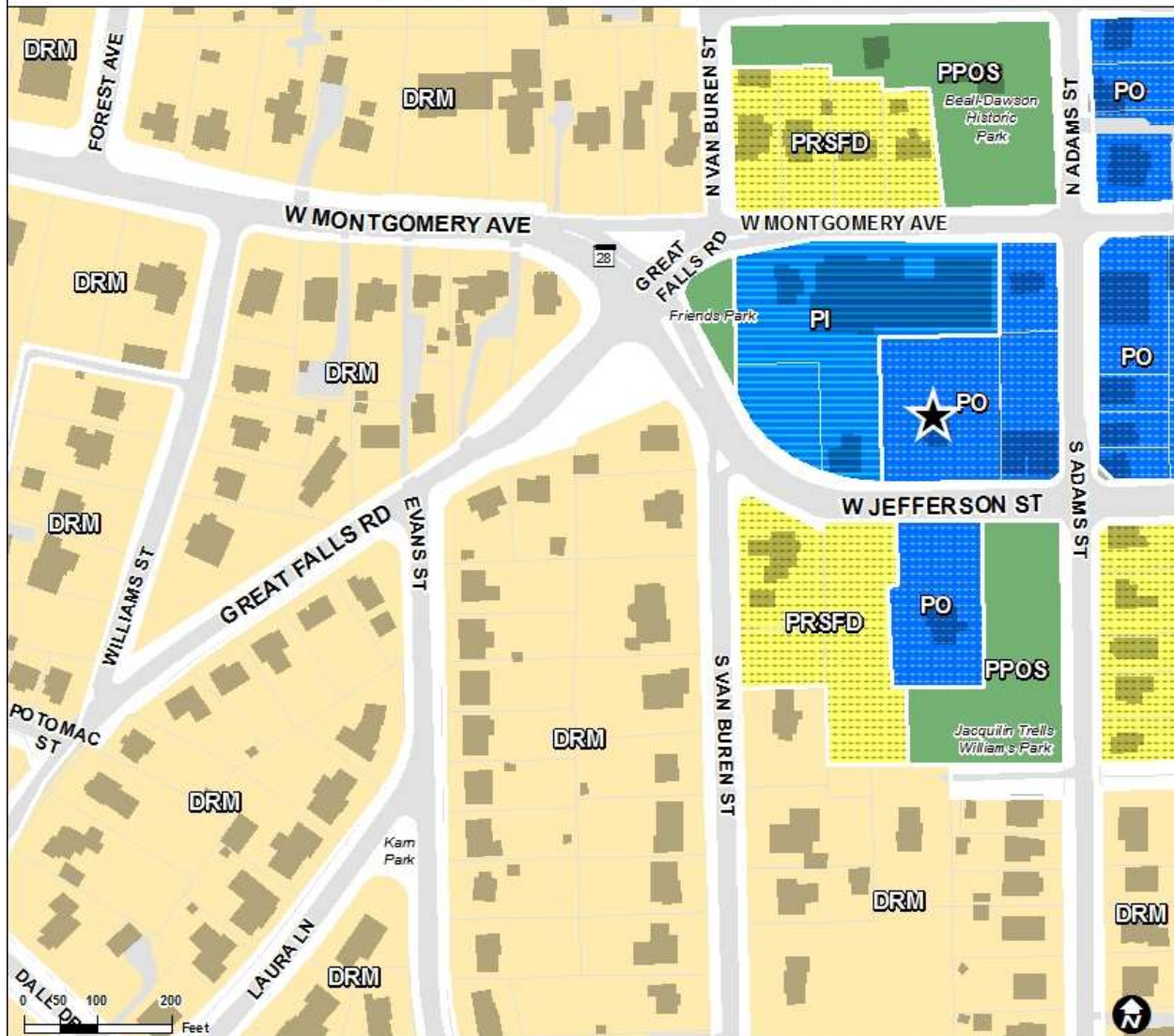
Exhibit 3: Planned Land Use Map



Case Number: STP2018-00354

Address: 107 West Jefferson Street

Project Name: 4-car garage

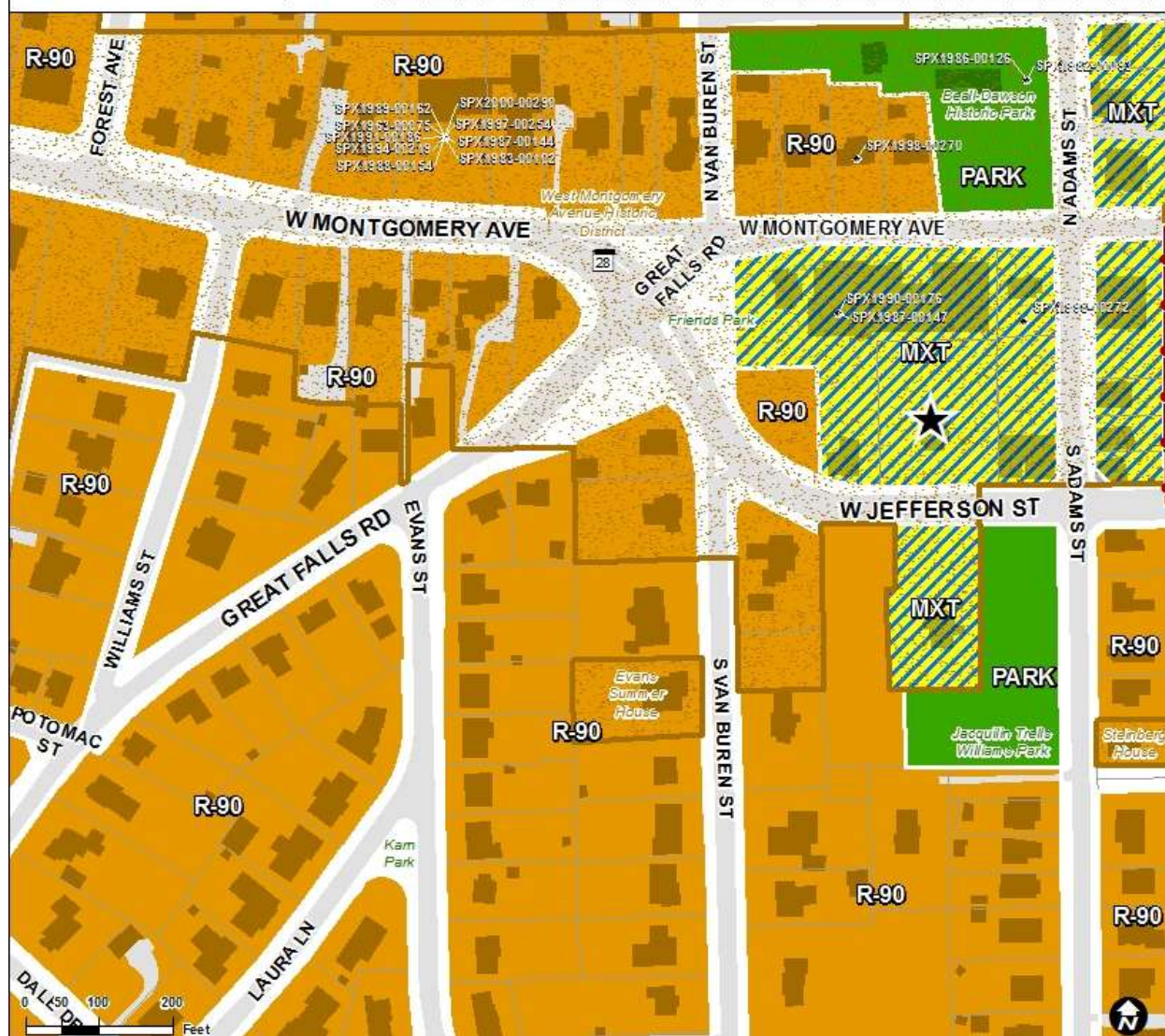
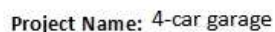


Master Plan Land Use

- DRL - Detached Residential (Low Density)
- DRM - Detached Residential (Medium Density)
- DRH - Detached Residential (High Density)
- GA - Garden Apartments
- AR - Attached Residential
- HRA - High Rise Apartments
- NC - Neighborhood Commercial
- GC - General Commercial
- EC - Entertainment Corridor
- PRSFD - Preferred Residential - Single-family Detached
- PRSFA - Preferred Residential - Single-family Attached
- PRSFAD - Preferred Residential - Single-family Attach/Detach

- PRMF - Preferred Residential - Multi-family
- PC - Preferred Commercial
- POLW - Preferred Office/Live Work Space
- PO - Preferred Office
- MUPO - Mixed-Use Preferred Office
- MUPR - Mixed-Use Preferred Residential
- MR - Mixed Residential
- MUC - Mixed Use Commercial
- MUD - Mixed Use Development
- MUI - Mixed Use Industrial
- PBF - Public Buildings and Facilities
- PI - Public and Institutional
- I - Institutional

- PRCA - Private Recreational and Conservation Area
- POS - Private Open Space
- PPOS - Public Park and Open Space
- RPCMUD - Rockville Pike Corridor Mixed-Use Development
- RP-N - Rockville Pike Neighborhood
- RP-CD - Rockville Pike Corridor
- RP-CE - Rockville Pike Center
- RP-CR - Rockville Pike Core
- CPD - Comprehensive Planned Development
- RIOP - Restricted Industrial / Office Park
- SI - Service Industrial
- RRW - Rail Right-of-Way



-  MX B - Mixed-Use Business
-  MX C - Mixed-Use Commercial
-  MX CT - Mixed-Use Corridor or Transition
-  MX CD - Mixed-Use Corridor District
-  MX E - Mixed-Use Employment
-  MX NC - Mixed-Use Neighborhood Commercial
-  MX T - Mixed-Use Transition
-  MX TD - Mixed-Use Transit District
-  PARK - Park Zone
-  IL - Light Industrial
-  PD - Planned Development

Attachments

- Attachment 1.A.a: Project Description and Scope of Work Narrative (PDF)
Attachment 1.A.b: Landscape Plan (PDF)
Attachment 1.A.c: Design Guidelines Final (PDF)
Attachment 1.A.d: February 28, 2018 Pre-Application Area Meeting Minutes (PDF)
Attachment 1.A.e: June 14, 2018 Post Application Area Meeting Minutes (PDF)

Jim Wasilak

Jim Wasilak, Chief of Zoning 7/31/2018

**107 WEST JEFFERSON, LLC (Applicant)
Lockett House – Detached Garage**

**PRE-APPLICATION MEETING
FOR MAJOR SITE PLAN AMENDMENT APPLICATION SUBJECT TO LEVEL
2 SITE PLAN PROCEDURES**

AMENDED PROJECT DESCRIPTION AND SCOPE OF WORK NARRATIVE

107 West Jefferson, LLC (the “Property Owner” and “Applicant”) proposes to construct a new detached garage on property located at 107 W. Jefferson Street. The subject property, also known as Lot 88, Block 12 of the Original Town of Rockville Subdivision, consists of 0.748 acres of land in the Mixed-Use Transition (MXT) Zone that is located at the northwest corner of the W. Jefferson Street and N. Adams Street intersection within the West Montgomery Avenue Historic District.

Background

The subject property was originally approved for office use in 1976 by the Planning Commission under Use Permit USE1976-00041. The Property Owner/Applicant is also the principal of a property management company, d.b.a. Alvin L. Aubinoe, Inc., that has been serving the DC, Maryland and Virginia area for over 70 years and will be the occupant/user of the main structure and garage. The company will be relocating its existing offices (currently in downtown Bethesda) to the subject property. The Applicant was granted approval of Minor Site Plan Amendment STP2017-00297, which allowed for removal of a portion of the existing driveway along the eastern property line, installation of a one-way circular driveway with adjacent handicapped parking spaces, and reconfiguration of the existing parking lot. Additional site improvements included landscape changes and the installation of a freestanding antique clock in the front yard of

the property. The Historic District Commission approved the associated Certificate of Approval HDC2017-00835, allowing implementation of the improvements approved in STP2017-00297.

The present application seeks approval to construct a new detached garage structure on the property, which requires approval of a Major Site Plan Amendment and compliance with Level 2 Site Plan notification/approval procedures pursuant to Section 25.05.07.c.2. of the Zoning Ordinance due to the fact that the original Use Permit USE1976-00041 was granted by the Planning Commission.

Proposed Improvements to the Property

The proposed one-story detached garage will be situated behind the existing building on the property, oriented perpendicular to West Jefferson Street, as shown on the Site Plan submitted in support of this application. The garage exterior has been designed to be compatible with the residential character of the historic main building on the property, a.k.a. Lockett House. The dimensions of the proposed garage measures 59'4" wide x 25'4" deep in size (or approximately 1,503 square feet). The height of the garage is 15 feet 6 ½ inches measured to the mid-point of the gabled roof (or 19 feet 6 ½ inches measured to the peak). Vehicles will access the garage through four (4) barn-style garage doors on the east elevation. It will also have four evenly spaced windows on the west elevation and two evenly spaced windows on the north and south elevations, with an entry door located on the south elevation, facing the main building. The garage design will mimic the main building's details inclusive of working shutters.

Mixed Use Development Standards

The Site Plan complies with Zoning Ordinance Sections 25.13.05 and 25.13.06

requirements for mixed use zones as follows:

Section 25.13.05.b. – Development Standards for MXT Zone

As shown in the chart below, the Site Plan satisfies the development standards for the MXT Zone as detailed in Sections 25.13.05.b.1. and 25.13.05.b.2. of the Zoning Ordinance:

CATEGORY	REQUIRED	PROPOSED
Building Height	Max. of 35'	15' 6 ½" measured to mid-point gabled roof (19' 6 ½" measured to peak)
Open Area (% of net lot area)	10% (3,259 s.f.)	28.0% (9,130 s.f.)
Setbacks		
Front (W. Jefferson Street)	10'	53' (main structure)
Side (MXT Non-Resid Land Abutting)	0' or 10' min. if provided	64' (main structure)
Rear (MXT Non-Resid Land Abutting)	0' or 10' min. if provided	13' (detached garage)
Layback Slope	Not applicable per Section 25.13.05.b.2(d)i.	Not applicable per Section 25.13.05.b.2(d)i.

Section 25.13.06.b. – Aesthetic and Visual Characteristics

- The architectural design and materials used for the proposed detached garage will be compatible with the residential character of the main structure in design and materials.

Section 25.13.07.g. – Special Design Regulations for Mixed-Use Transition (MXT)

- *Façade* – Building facades of the proposed detached garage will be generally consistent with the façade designs in the immediate neighborhood with a roof pitch that is compatible with nearby single-unit residential development.
- *Fenestration* – Fenestration is proposed to be framed individual windows with shutters.
- *Sidewalks* – There are no additional sidewalks required to be built new or rebuilt as part of this application.
- *Parking* – The existing surface parking lot provides more than the minimum required number of off-street parking spaces for the main structure’s existing office use. There is 2,600 square feet of office use in the main structure so the minimum required number of parking spaces is 9. The existing parking lot provides 14 spaces plus one (1) handicap accessible space located along the circle driveway at the front of the property, or a total of 15 surface parking spaces. The proposed detached garage would provide four (4) additional enclosed spaces, bringing the total number of off-street parking spaces that would be provided by the site to 19 with the approval of the subject application.
- *Adjacent to Residential* – The site is not opposite or immediately adjacent to any property in a residential zone. Nonetheless, the architectural design of the proposed detached garage as previously stated herein reflects the design and character of the existing residential buildings in the immediate vicinity.

Conclusion

The subject Major Site Plan Amendment satisfies all the required findings of Section 25.07.01.a.3 in that it:

1. Does not adversely affect health or safety of persons residing or working in the neighborhood;

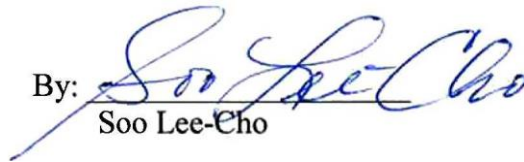
2. Is not in conflict with the Plan;
3. Will not overburden existing and programmed public facilities as provided in the adopted Adequate Public Facilities Standards;
4. Will not constitute a violation of any provision of this chapter or of other applicable law; and
5. Will not adversely affect the natural resources or environment of the City or surrounding areas.

For the reasons identified herein, we urge the Planning Commission's approval of this Major Site Plan Amendment application.

Respectfully submitted,

MILLER, MILLER AND CANBY

By:



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ATTACHMENT 3

Article 13- Mixed-Use Zones

25.13.06 Additional Design Guidelines

- a. **Purpose:** It is the purpose of this section to establish guidelines that will promote the highest quality of development in the Mixed-Use Zones. New Development or redevelopment should be consistent with the intent and purpose of the following guidelines.
- b. **Aesthetic and Visual Characteristics for All Zones**

1. **Facades and Exterior Walls Including Sides and Backs** – Buildings should be designed in a way that avoids massive scale and uniform and impersonal appearance and that will provide visual interest consistent with the community's identity, character and scale. It is recommended that building walls greater than 100 feet long including projections, recessions or other treatments sufficient to reduce the unbroken massing of the façade along the sides of the building facing public streets.

(a) Along any public street frontage building, design should include windows, arcades, awnings or other acceptable features along at least 60 percent of the building length. Arcades and other weather protection features must be of sufficient depth and height to provide a light-filled and open space along the building frontage. Architectural treatment, similar to that provided to the front facade must be provided to the sides and rear of the building to mitigate any negative view from any location off-site and any public area (e.g. parking lots, walkways, etc.) on site.

(b) Buildings should include architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the building wall along those sides fronting on public streets with color, texture change, wall offsets, reveals, or projecting ribs.

Response: The garage building is one (1) story in height with a gable roof. The garage will be located directly behind the main building and will not have direct public street frontage. As designed, the proposed garage will be compatible with the historic residential character of the main building, and will clearly be ancillary to the former residence.

2. **Roofs** – Roof design should provide variations in rooflines where appropriate and add interest to, and reduce the massive scale of large buildings. Roof features should complement the architectural and visual character of adjoining neighborhoods. Roofs should include two (2) or more roof planes. Parapet walls should be architecturally

Response: As proposed the roof pitch of this one (1) story detached garage is compatible with the main building and surrounding buildings in the nearby area which contain a variety of roof pitches.

3. Material and Color –

- (a) General Provisions – Buildings should have exterior building materials and colors and are compatible with materials and colors that are used in adjoining neighborhoods. Certain types of colors should be avoided such as fluorescent or metallic, although brighter colors may be considered at the discretion of the Planning Commission.

Response: The project complies with this requirement. As designed the proposed garage will be compatible with the residential character of the main building. The shutters will be will be functional and painted to the match the main building.

4. Items Allowed Not Desired –

- a. Window and wall air conditions;
- b. Electric utility meters;
- c. Air conditioning compressors; and
- d. Irrigation and pools pumps;

This section does not apply to single-unit detached, semi-detached, attached or townhouse dwellings that may be located in a Mixed-Use Zone.

Response: As proposed none of these items are indicated on the site plan.

5. Entryways – Building design must include design elements which clearly indicate to customers where the entrances are located and which add aesthetically pleasing character to buildings by providing highly visible customer entrances.

Response: The proposed garage is ancillary to the main building and will not be used by customers. The garage will be designed to be compatible with the main building. The shutters will be painted to match the main building.

6. Screening of Mechanical Equipment – Mechanical equipment must be screened to mitigate noise and views in all directions. If roof mounted, the screen must be designed to conform architecturally to the design of the building either with varying roof planes or with parapet walls. A wood fence or similar treatment is not acceptable.

Response: The project is not proposing any mechanical equipment.

c. Site Design and Relationship to Surrounding Community

1. Vehicular Access – In the MXTD, MXCD, and MXE zones, each site must provide safety and protection to adjacent residential uses by having motor vehicle access from an arterial major, or business district road as designated by the Plan.

Response: This property is not opposite or immediately adjacent to any residentially zoned property. In addition, this requirement is not applicable to the MXT Zone.

2. Buffers – Each site must provide visual and noise buffers to nearby residential uses. This can be accomplished by providing a substantial building setback from a residential use or residentially zoned property that is adjacent to the site. A landscape buffer of substantial width should be provided adjacent any property line where it adjoins residential uses or zones. The landscape buffer should include a variety of tree types at regular intervals with groupings of trees to provide noise, light, and visual screening. No other uses, such as, but not limited to, parking or storage are permitted within the buffer area.

Response: The subject property is not opposite or immediately adjacent to any residentially zoned property, therefore a substantial setback is not required. However, a perimeter landscape strip to buffer the adjacent property is required and provided. In addition, the applicant is proposing to install landscaping near the proposed garage to soften the effects of the proposed change. The design of the proposed garage will be compatible with the historic character of the property.

3. Outdoor Sales and Storage

- (a) General Standards – Areas for outdoor sales of products may be permitted if they are extensions of the sales floor into which patrons are allowed free access. Such areas must be incorporated into the overall design of the building and landscaping and must be permanently defined and screened with walls and/or fences. Materials, colors and design of screening walls and/or fences shall conform to those used as predominant materials and colors on the building. If such areas are to be covered, then the covering shall be similar in materials and colors on the building. If such areas are to be covered, then the covering shall be similar in materials and colors to those that are predominately used on the building façade. Outdoor sales areas shall be considered as part of the gross floor area of the retail establishment, except for motor vehicle and trailer sales.
- (b) *Prohibition of Certain Sales and Storage* – Outdoor storage of products in an area where customers are not permitted is prohibited. This prohibition includes outdoor storage sheds and containers. Outdoor storage of motor vehicles in connection with a motor vehicle sales business is allowed.

Response: The project is not proposing any outdoor sales or storage of products. The proposed garage will be used to store company vehicles and, if necessary, equipment related to the business. Outdoor storage of such equipment is not permitted in the zone.

4. Trash Recycling, Waste Oil Grease Collection Area

- (a) Location – Trash, recycling, and waste oil/grease collection areas must be located at least 50 feet from any residential use, residentially zoned property, or street that is adjacent to the site, unless such operations are located entirely within an enclosed building or underground. All such areas must be properly covered or secured.

Response: This project is not proposing any trash recycling, or waste oil grease collection area.

- (b) Screening – All trash recycling, and waste oil/grease collection areas that are not within an enclosed building or underground must be properly secured and covered and screened or recessed so that they are not visible from public street, public sidewalks, internal pedestrian walkways, or adjacent residential properties. Screening and landscaping of these areas must conform to the predominant materials used on the site.

Response: This project is not proposing any trash recycling, or waste oil grease collection area.

5. Parking Lots and Structures

- (a) Parking Area Standards – Parking areas must provide safe, convenient, and efficient access. They should be distributed around large buildings in order to shorten the distance to other buildings and public sidewalks, and to reduce the overall scale of the paved surface. Landscaping should be used to define parking areas, primary vehicular drives, and pedestrian areas in an aesthetically and environmentally pleasing manner.

Response: The project complies with parking area standards. Parking is concentrated mainly at the rear of the property. Accessible parking is provided at the front of the main building. As required by the Zoning Ordinance in the Landscaping, Screening and Lighting Manual, internal parking areas must provide landscaping and, as proposed, the project is providing the required 5% or 180 square feet.

- (b) Parking Structure Appearance – Parking structure facades should achieve the same high quality design and appearance as the buildings they serve. The parking structures utilitarian appearance should be minimized by utilizing effective design treatments such as colonnades, planted (“green”) walls, arcades, awnings, street furniture and other public amenities. Compatible materials, coordinated

landscaping and screening, appropriate building color, sensitive lighting, and signage should all be considered for garage facades.

Response: The proposed garage is designed to be compatible with the main building and its location in the historic district.

6. Pedestrian and Bicycle Flows – Each site must be provided for pedestrian accessibility, safety, and convenience to reduce traffic impacts and enable the development of the project. Continuous internal pedestrian walkways, no less than six feet (6') in width should be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. Sidewalks should also connect retail uses to transit stops on or off-site to nearby residential neighborhoods. Sidewalks should be provided along the full length of any building where it adjoins a parking lot. On-site bicycle travel must be provided in accordance with Section 25.16.06.

Response: There are no sidewalks required to be built or rebuilt as a result of this project.

7. Central Features and Community Spaces – Development should provide attractive and inviting pedestrian scale features, spaces and amenities. Entrances and parking lot locations shall be functional and inviting with walkways conveniently tied to logical destinations. Bus stops should be considered integral parts of the configuration whether they are located on-site or along the street. Customer drop-off/pick-up points that may be provided should also be integrated into the design and should not conflict with traffic lands or pedestrian paths. Special design features such as towers, arcades, porticos, light fixtures, planter walls, seating areas, and other architectural features that define circulation paths and outdoor spaces should anchor pedestrian ways. Examples are outdoor plazas, patios, courtyards, and window shopping areas. Each development should have at least two (2) of these areas. Open space green space requirement

Response: The proposed garage will be compatible with the main building and other similar uses in the vicinity. The site retains pedestrian features from when it was a residence, such as the original lead walk.

8. Delivery and Loading Spaces, Hours of Operation
 - (a) Design – Delivery and loading operations must be designed in accordance with the provisions of Article 16 and located so as to mitigate visual and noise impacts to adjoining residential neighborhoods. If there is a residential use or residentially zoned property adjacent to the site, such operations must be permitted between 10 p.m. and 7 a.m. For good cause shown, the Planning Commission may permit deliveries at additional times provided the applicant submits evidence that sound barriers between all areas for such operations effectively reduce emissions, to a level of 55 dB or less, as measured at the lot line of any adjoining property. Delivery and loading areas should be substantially set back from a residential use or

residentially zoned property that is adjacent to the site. A landscape buffer of substantial width should be provided adjacent to the delivery and loading area where it adjoins residential uses or zones. The Landscape buffer should include evergreen shrubs, and/or trees plus deciduous canopy trees at regular intervals, as appropriate, to provide light, and visual screening. If the delivery and loading spaces are located within an enclosed building or underground, no such setback and buffer area shall be required.

Response: The subject property is not opposite or immediately adjacent to any residentially zoned property. There are no dedicated delivery and loading spaces for this use. The business does have company vehicles that are used to visit various sites that they manage. Employees are generally able to take these vehicles home. For the vehicles that do remain on site overnight, these vehicles will be parked in the garage.

- (b) Parking of Delivery Trucks – Deliver Trucks must not be parked in close proximity to or within a designated delivery or loading area during non-delivery hours with motor and/or refrigerators/generators running, unless the area where the trucks are parked is set back at least 50 feet from residential property to mitigate the truck noise.

Response: There are no delivery trucks being proposed for this project. However, company trucks are used as a part of the business operations to visit various sites that they manage. The employees generally take their vehicles home. The proposed garage and existing parking area is located at the rear of the property. When trucks are there overnight, they will be parked in the garage.

- (c) Screening- The delivery and loading areas should be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent properties. The screen must be masonry or other suitable opaque material and at least ten feet (10') high, measured from the loading dock floor elevation, to screen the noise and activity at the loading dock.

Response: There are no dedicated loading or screening areas proposed for this project. However, vehicles that remain on the site overnight will be parked inside the garage limiting their visibility from public streets.

9. Ancillary Uses – The applicant must demonstrate that any ancillary uses will not have a negative impact on adjacent residential uses, residentially zoned properties, or adjacent properties. Any ancillary use should be oriented to face away from any residential use or residentially zoned property that is adjacent to the site.

Response: The project complies. The subject property is not opposite or immediately adjacent to any residentially zoned property. The proposed garage is ancillary to the use and will be used to store vehicles that remain

on the site overnight. Landscaping will be planted near the garage to limit some of the garage's visibility over time.

10. Noise Abatement – A noise mitigation plan must be if indicates how the noise by the land will be mitigated to comply with noise regulations applicable in the City of Rockville. This includes compliance with the noise regulations set forth in Chapter 31B of the Montgomery County Code.

Response: The proposed project will comply. The applicant is aware of the acceptable hours in which to work and is fully aware of the noise regulations set forth in Chapter 31B of the Montgomery County Code.

11. Outdoor Lighting- Outdoor lighting shall be in accordance with the Landscaping, Screening and Lighting manual.

Response: Any proposed lighting will comply with the landscaping and lighting manual.

12. Landscaping – Landscaping shall be in accordance with the Landscaping, Screening and Lighting manual.

Response: The proposed project complies with this requirement. The landscape manual requires a parking lot perimeter landscape strip to buffer the adjacent property, which is being met with shade trees, evergreen trees, and evergreen and deciduous shrubs.

25.13.07.g – Special Design Regulations for Individual Mixed-Use Zones

Mixed-Use Transition Zone (MXT) The Zone is intended for areas that are located between medium and high-intensity development and single-unit dwelling detached residential neighborhoods. This allows for development of multi-unit and townhouse residential development, and may include neighborhood-serving retail uses.

1. Building Location: The location of the proposed building complies with the 85-foot build-to-line applicable along the West Side.

Response: The location of the building complies with 85-foot build-to-line applicable along the West Side.

2. Uses by Floor:

Response: The garage will only be one (1) story and is ancillary to the main building.

3. Facades: The façade design must consistent with the standards set forth in subsection 25.13.05.b.2(d). Where the façade height exceeds 35 feet, the façade should include an

expression line above the first-floor level and a defined cornice line at the top of the façade wall.

Response: The building facades of the proposed detached garage will be one (1) story and will be 15' - 6 ½" high to the midpoint of the roof, which is lower than the height indicated in the design guidelines. Per Section 25.13.05.2., buildings in the MXT zone must not exceed 35 feet.

4. Fenestration: Generally, fenestration of the stories above the ground floor should be by framed individual windows. Continuous strip windows may be allowed by the Approving Authority if they are used to maintain compatibility with existing contiguous projects.

Response: This does not apply since the proposed building is only one (1) story. However, as proposed the garage will have framed individual windows with shutters on the north and south facades.

5. Sidewalks: Where sidewalks must be built new or rebuilt as part of redevelopment, they should comply with the provisions of Section 25.17.05.

Response: There are no sidewalks required to be built or rebuilt as a result of this project.

6. Parking: On-site parking must comply with the standards and requirements of Article 16. Most parking should be located to the side or in the rear of the buildings. Structured parking, either above or below grade, is preferred and may not be visible from a public street. Any parking structure facades visible from the street must be treated in the same manner as the building facades. All parking must be screened to prevent vehicle headlights from shining into adjoining residential properties.

Response: The existing surface parking lot provides more than the minimum required on-site parking, and most will continue to be provided to the side and rear of the existing structure.

7. Adjacent to Residential – Where the MXT Zone is opposite or immediately adjacent to any property zone or recommended in the Plan for single-unit detached residential development, the architectural design of buildings adjoining or confronting one-family residential uses should reflect the design and character of the existing residential buildings in the immediate vicinity.

Response: The subject property is not opposite or immediately adjacent to any residentially zoned property. However, the design of the proposed garage will be compatible with the historic character of the property and other properties in the vicinity.

107 WEST JEFFERSON LLC
LUCKETT HOUSE

MINUTES OF PRE-APPLICATION COMMUNITY AREA MEETING

February 28, 2018 at 7:00PM

A Pre-Application Community Area Meeting was held on February 28, 2018 beginning at approximately 7:00PM at Rockville City Hall to discuss a Major Site Plan Amendment application for 107 West Jefferson Street. Present at the meeting were Soo Lee-Cho of Miller, Miller & Canby (SLC), Ken Jones of Macris, Hendricks & Glasscock (KJ), Alvin "Tripp" Aubinoe, property owner (TA), Maureen Aubinoe, property owner's wife (MA), and ten (10) members of the community (R1-R10). Soo Lee-Cho began the meeting with preliminary introductions.

SLC: I will sit if that's ok. I don't want to stand and hover over everybody. My name is Soo Lee-Cho and I am an attorney with the Law Office of Miller, Miller, & Canby and I am the attorney for this project. The project is regarding 107 West Jefferson. It is also known as the Lockett House. The house has been through the Historic District Commission review process for exterior renovations and a number of upgrades have already been completed on the house. The current application is to add a detached garage to be located behind the existing house. We have a watercolor artistic rendering from West Jefferson Street of the house and the proposed garage structure behind. This is the proposed site plan. You have West Jefferson Street along the bottom. The circular drive, pavement and landscaping upgrades were all done under the previous minor site plan amendment approval and HDC Certificate of Approval that encompassed all of that work inclusive of the work on the house. The proposed garage would house four vehicles. You have the surface parking lot and the garage is perpendicular to West Jefferson, tucked behind the house. It is less than 1,500 square feet in terms of a footprint, 1,476 square feet to be exact unless I did the math wrong. There may be two cupolas to break up the roof massing on the structure and to provide some architectural interest on the roofline. So depending on the structure itself, if it's measured to the peak, then the height of the garage to the highest point of the gabled roof is 17' 5" and then if it's measured to the top of the cupola, whether it's one or two ultimately designed, it will be an additional 4' 2" so doing the math that gets me 21' 7" for overall height. Did I do that right?

TA: I think actually the cupolas would not be that big. Yeah, 4' is a huge cupola so it would be more like 3'.

SLC: I should have introduced folks around the room.

TA: Sorry, Tripp Aubinoe, I own the property. This is my wife Maureen.

MA: Hi.

TA: She's my support group. As you can tell, it's a small support group.

KJ: Yeah, my name is Ken Jones and I'm with MHG and I am the civil engineer for the project.

SLC: So you have the garage doors planned to be a barn door style.

TA: We're going to try and match the doors on the garage of the existing house but I can't, according to Sheila, I can't do exact replica of the existing house so the siding will be different, some of the trim will be different, but I am going to match the doors, if I am successful in getting this approval.

SLC: And a six car garage was reviewed by the HDC as a courtesy review back in February of 2016 and what was reviewed at that point is substantially similar to what is being proposed now, slightly reduced in size (but not by much).

TA: Well we designed it in such a way that it doesn't look like some storage facility. I wanted to make it look like a garage, which it is, so that is why we put a lot of windows in and that's why we added the cupolas and that's why we added the matching doors.

R10: When you say matching doors, are they matching to....

TA: Well you can't really see it but if you go on to the property there is a garage that goes under the house right there and that's the original door. It's really cool because the whole thing slides on a track, like a train track, and they're original, probably 1920 doors.

SLC: Right so the new garage doors will operate like a modern door where, like we all have, that go up and down vertically but it will have the look and feel of the original.

R8: So the original garage door still has the original wood?

TA: Yeah, yep.

R8: Wow, that's amazing.

TA: I think the bottom there is, it rotted out at the bottom so the previous owner had fabricated a steel use and just painted it so it looks fine.

SLC: And the windows will be flanked by black vinyl shutters and...

TA: Not black.

SLC: No it's not black anymore?

TA: No, it's, um, called Charleston Green, which was a color that the City of Charleston made up because after the war, the Union gave Charleston all of this black paint and

they didn't want black so they tinted it and made it green so that's where Charleston Green came from.

TA: The roof will be a galvanized metal roof that has five leads in it and they lock together and get screwed down. Similar to like the barn on the King Farm, it looks just like that. But it's still the galvanized metal.

SLC: Basically, I think that's all I have if there are any questions. I can take you through the process for the Major Site Plan Amendment application but maybe we can first cover questions about the proposal first.

R8: So the shutters on the house, are they black or the same Charleston Green?

TA: Well the shutters on the house are on there now.

R8: Ok, I don't remember.

TA: Yeah, it's the Charleston Green.

R8: Ok, so that picture is wrong?

TA: It almost looks black but...

R8: It's just a really dark, dark green.

R1: Tripp, the color of the roof, is it going to be the tin color that you have...

TA: No, it's just going to be a plain galvanized roof.

R1: So will galvanize rust or not?

TA: It's like aluminum. Eventually in about 25 years you might see some rust or if it starts to rust you can paint it with a solar roof paint.

R1: OK.

R6: I apologize that I'm a little late and may be asking you to repeat yourself but what are the dimensions of the structure?

SLC: Sure, so I put the dimensions in the letter that went out. Not the letter but the email that I sent.

R6: Wouldn't they be on the drawing behind you?

SLC: Yes, but I just wanted to make sure. So it is 59'4" in length, 25'4" in width.

R6: What's the height before you get to the roof?

SLC: What do you mean before you get to the roof?

TA: You mean from the bottom of the rafter, you mean? I guess it would be 8' door so looks like maybe 10'.

SLC: We don't have that dimension.

TA: But it's an 8' door...

SLC: So about 10'.

TA: I think if you include the fascia board and the space between the bottom, you're looking at, maybe 11' tops.

SLC: We just measured to the peak on this drawing.

R6: Is there going to be talk about, well I guess you started talking about process because I think there is a lack of clarity from the neighborhood's perspective of the process of this. You know, are we talking about HDC approval or are we talking about just getting a use permit for the....?

SLC: Both.

R6: Ok, so what's involved in getting an amendment to the use permit, are we going to talk about that tonight?

SLC: This is the amendment.

R6: Well, what's the use?

SLC: The use is still office/commercial use.

R6: Ok, so what's going to be in the garage, what's going to be parked on the surface parking lot? Take us through a workday. What are we going to see starting at 5 in the morning and what are we going to see all the way through the day until 9 at night?

TA: Well I'll be playing tennis from 7 to 830 and then I would show up and I have six company leased vehicles and I have eight company trucks.

R6: When you say trucks, can you show us photographs?

TA: It's a F-250 and I have two small Ford Rangers, small pickup trucks.

R6: So what are we going to see parked outside?

TA: The work trucks are taken home by my employees.

R6: So nothing at all will be parked.

SLC: I mean, there could be. There is no prohibition on parking on this property.

TA: If everything is going well and all of my vehicles are running, there will be nothing parked in my parking lot at night usually.

R6: To clarify where I'm coming from here, I'm not trying to be particularly hardnosed or whatever, but there is a concern in the neighborhood that we're going to end up potentially with an use that is similar to what you might find at some of the businesses along Southlawn with work trucks and trailers and lawn mowers and those kinds of stuff. So instead of me asking what's going here and what will be there, what we would really like to hear is give us, maybe not tonight, but put it on paper, comprehensively, what should we expect and not expect here and what you're going to find from folks in the neighborhood is that whatever you say, assuming it's agreeable, we're going to want that written into the use plan for the Planning Commission. Because we don't want to end up with loads of work trucks and...

TA: What is the difference between the parking lot I have now and now because I want a garage to store vehicles, it's becoming an issue?

R6: Again, sir, it's the unknown and the only person that can clarify the unknown for us is you by telling us exactly what's going to happen and what won't so what you have here are folks that are just really worried because they are hearing different things by different people, it's hard to visualize, I mean, take Moyer's Lawn Service and plop it here, it would be horrible from a visual standpoint. So we're just looking for....

TA: Well this is for an office use. So I mean typically in my office in Bethesda I have no vehicles parked in my lot on the weekends and usually not at night, unless someone is swapping out a car or a truck or something.

SLC: And the type of vehicle sounds like it's a typical vehicle that you would find on a driveway in a residential area.

TA: Yeah, the managers have, there will be no big commercial trucks there, let's put it that way. It'll be usually vehicles, cars, leased cars, company cars, or small pickup trucks.

R6: So in the spirit of trying to be constructive is what would be helpful, not tonight because you're not prepared to do it, but when you come in with your formal application, have photos of the vehicles that will be parked there. Now they may not be the exact same vehicles but then we can at least get the sense of what we're really talking about here and then that allows folks to rule out worst case scenarios and what could theoretically happen, but you say won't happen.

TA: I don't have a snow plow, I don't have a lot of tools I need to store anywhere, I don't have a trailer, it's really just vehicles.

R10: But they're going to be logo vehicles.

TA: Yes.

R10: So we will have a lot of logo cars at night.

TA: No, because they all take their cars home at night. There might be one or two trucks there on a permanent basis.

MA: And the trucks during the day are out. They're not there.

R10: I mean, there are 15 parking spaces and a 4 bay garage, so what is going to go on there?

TA: Well if you look down right here down on South Washington, there's a house there that's for sale and that has 16 spaces. Usually on the weekends the church uses my parking lot which is fine with me, I am happy to have the people there and, you know, so.

R7: What are you using the garage for? Obviously you're not using it for storing cars and trucks there.

TA: Well, yes, because a lot of the time, if I do have a vehicle that's going to sit there for more than a typical day or two, I would probably put it in the garage just to protect it from the elements and protect it from theft that type of thing.

R7: So you're only using it for that? You won't have any equipment in there?

TA: I mean there might be a lawn mower or something in there but it's just a typical, what you would have in your residential garage. I designed this whole project, I wanted to keep this project looking like a single family home when we designed the front driveway and the parking lot in the rear, that's all kind of hidden. I wanted to give it the feeling of Colonel Lockett's still living there today, even though it's an office.

R7: Do you have any machines inside there, inside your garage?

TA: Where?

R7: Any machinery inside your garage, or is it just for cars?

TA: No. Just for vehicles. Maybe a ladder, you know, something you would have in your garage.

R7: I live down a half a block. I don't have a garage.

TA: Ok, I'm just saying, anything you would have in your garage, I might have. It could be Christmas decorations, it could be a ladder, it's definitely going to be vehicles, but that's about the extent of it. Maybe some boxes.

R8: You might be the exception because everyone else on the West End that has garages use them for storage and their cars sit outside.

R6: Maybe someone has already shared this but the concern from the folks in the neighborhood is there has been a lot of pressure on the West End over the last few decades in terms of its residential neighborhood and yeah there is historic house converted to law offices and things like that but the concern is that anyone with these transitional properties is not going to further the encroachment of these nonresidential uses when up against the neighborhood because it really does become a cascading thing where one person says well I'm only going to do this and it's like a certain number of whatever whatever and then the next person comes along and says well you let him do that so I'm just going to do a little more than that and that's been happening in the West End for decades so there is a lot of concern about use.

TA: Do you have an example for something like that?

R6: In terms of?

TA: Of the change you said has been happening in the West End.

R6: Well we have another situation that seems to be representing Christ Episcopal and the office building there on South Adams Street, so we're running up against concurrent things here, even now as we speak, even more of these things become a non-residential use and arguably further degrades the residential feel of the neighborhood, and also degrades the architecture and historic district, so I'm not necessarily suggesting that what you are proposing is going to do that but I just thought that would be worth throwing that out there so that you can have an appreciation of where all of these folks are coming from and where I am coming from in terms of really wanting to preserve the integrity of the residential neighborhood.

TA: And I agree with you. That's what I love about this project. I know it's kind of a mess now because it took me two years to get the permit for the parking lot but the way the whole thing was renovated, it's 1880s. You could walk in and it's 1880s with some upgrades to the bathroom and whatever. The location of the garage is such that it really once all of the landscaping is in, the goal is that you won't even see much of the garage.

R6: The last thing I'm going to throw out here is, and again I'm not looking for definitive answers but one could even argue that with the garage, and I appreciate you about how it's going to be designed similar to the existing house and those kinds of things, I would say, find me another historic home in the area that has been turned over to a non-residential use that has a garage of this size and the answer is you're not going to find one.

TA: It's a pretty big lot. Are there any other lots of the same size?

R10: Yeah, I think there are.

R6: There probably are.

R8: What's the acreage of the lot?

KJ: $\frac{3}{4}$ of an acre.

R6: There are other properties that could potentially hold a garage of this size so the size of the garage, even with the architectural character, is arguably out of character with the other residential properties converted for non-residential use.

SLC: I'm sure you are all aware though that this is not a residentially zoned property.

R6: It's a historic property, it's a property that was once a residence and it's integral to the West Montgomery Avenue Historic District.

SLC: I understand, but it is not a residentially zoned property. It just isn't.

R6: But what I'm saying is, so what?

SLC: It matters, it's the law. It does matter, the zoning is MXT.

R6: It also matters for the historic integrity of the district and I'm a little upset to hear you say that it doesn't matter.

SLC: I never said it didn't matter, but it is also different from the residential area.

TA: But if you drive by, once this driveway is completed, besides my sign that's going to be out front, you would assume it's a residential property.

R10: Can I just throw into that, because I'm getting a vision and maybe it's the wrong vision but it sounded like how many trucks, eight trucks?

TA: But those eight trucks come and...

R10: Come and go, I know, but you have eight trucks and I can't remember how many other....

TA: There are six cars.

R10: Right and so they all have logos and they come and go, so that's a total of 14 vehicles and they all have logos sitting on them and I know they all may not be there at once, I understand that, but if you come down the road and there are a half dozen of them in the parking

lot, it leaves the view that this is a commercial establishment, this is not one of the historic homes that the historic district was created for, this leaves the impression that it's a business.

TA: Right. I mean are you talking about after hours or...

R10: I mean all of the time. The historic district is 24 hours a day so.

TA: No it's true, during the work hours it will look like a non-residential use is happening. But not all 14 vehicles are there at the same time.

R10: I understand that and hear what you are saying, they are coming and going, but if there are six of them sitting in the lot that is going to have a very commercial presence, in other words, the other historic houses in the West End that have businesses are mostly law offices and while they have parking associated with them, they are cars, or whatever the people are driving to get to the office.

TA: Different colors.

R10: Different colors, but it's not like a commercial statement, which is a different thing, I think.

TA: But the way the parking lot is designed, it's back and away from the road, the elevation is such that it sits down lower.

R10: I know, I drive by it every day and it seems pretty open to me.

TA: Well it's open now because I'm still in the process of redeveloping it.

MA: In all of my time being there, there have never been six trucks sitting there at one time and that is not the nature of the business. I know what you all are envisioning, like a fleet of logoed trucks and that's not what it is.

R5: A construction office, that's what I'm envisioning.

TA: It's not.

R10: Well then what else is there then?

SLC: It's an office. Tripp's company manages properties.

TA: So what else is there would be customers coming and going, people coming to sign their leases, just like a real estate office.

SLC: Tenants. This will be his base of operations.

TA: But the trucks don't stay there.

MA: They're on the road all of the time.

SLC: I think this gentleman has been waiting a long time.

R2: I know I'm not going to make any friends here, I want to point out that anyone in this room that grew up in Rockville in the 50s and 60s you would have seen that garage facing Anderson Avenue behind 100 Forest Avenue. Matter of fact, that garage didn't even have a concrete floor in it. So that was in the residential neighborhood. It was at least three or four bays because I remember playing in the attic as a kid. I commend you on what you have done here. I think the question here tonight is whether or not the city should allow the garage. The discussion of what's going to be parked there, that's not on the table. The question is....

R10: How do you decide?

R2: He's going to be able to park anything in that parking lot that he wants to, that's not on the table. So the question becomes, do you want a garage?

R10/R6: It is on the table.

R2: And if you want the garage, you may be able to get something from him that I won't put an open trailer in the parking lot or I won't store pallets and materials in the open parking lot.

R10: How do you make the determination that it's not on the table?

R2: Because he has the parking lot. Whether or not he has the garage, he has the parking lot, they're not going to take that away from him.

R10: But we also have a discussion of use.

SLC: The use is actually already permitted. The original 1976 use permit approval allowed for office use on the property. We not asking for a change of use, we are asking for a new structure approval and amendment to the site plan. The use itself is a permitted use under the permit, there is no permission we're seeking related to the use.

R6: I'm going to disagree strenuously because even though you have a standing approval, if the use is going to morph in any way, then there is at least a legitimate question of whether the use is still the original use of the permit.

SLC: And I agree with you. There is a change of use process with the city but this is not a change of use.

R6: You say it's not but I don't know that everyone here is necessarily....

SLC: But it was approved as an office use and will continue as an office use. There is no change of use.

R7: An office, to me, means something that goes on inside. Rooms with tables and desks, that's fine, not even a discussion, but if you are using it as a staging area for trucks to come in and out that's pretty big in the historical district. It's a premier historical site and that's a lot of impact on the historical district.

R2: Denying him the garage doesn't deny him the right for those trucks to be there on that open parking lot.

R6: Let me ask as theoretical questions – could he park a cement mixer there?

R2: I don't know.

TA: I wouldn't.

R6: The answer is no because it would be a different use.

R2: But denying this garage is not going to stop him from doing anything, other than building that garage.

SLC: Right. You're talking about contractor services... that's not what this is. He's not a landscape/general contractor.

TA: There is one other point and this is a very important point, the whole parking lot is a storm water management system. That's why it took me 18 months to get the permit. It's 12" of gravel over top 6" of pervious concrete so I do not want to have heavy trucks, not even when I build this garage driving on that pervious concrete because I don't want to break it.

R6: Just to be clear, I'm not necessarily suggesting that, but I don't think we know enough about what your use is or not, what I'm just highlighting is, just because there is some approval already he doesn't have the right to do whatever he wants to do with the use of the parking lot. It's just not true.

SLC: I would agree with you on that, I don't think he could park a tractor-trailer or things like that because that's an industrial contractor's use. He is not that, he is a real estate management office. He happens to have leased vehicles and vans and pickup trucks, but a contractor type of use is not what we're talking about.

R6: Which would arguably look exactly like a business doing a handyman service. From an impact standpoint, it would look exactly the same, so the question I would then have for the Planning Commission is would you allow a handyman business here that has 8 to 12 trucks in and out of there all day and if the answer is no, then I would ask how this is any different. Now, again, I'm not taking a side here, but that's how I would look at it.

SLC: I guess you're welcome to look at it that way, so.... but I will finish up on the process. So as I was saying, the 1976 use permit was originally approved by the Planning Commission so as a Major Site Plan Amendment because it was originally approved by the Planning Commission, it must go through a similar Planning Commission level of notification and approval process, also known as a Level 2. It's not technically a Level 2 Site Plan application, it's a Major Site Plan Amendment but the process it will follow is identical to a Level 2, if that makes sense. Are there any questions on that?

R10: Aren't they defined differently in the zoning ordinance?

SLC: They are different but when you look at the Major Site Plan Amendment and what notification and review processes apply, it can either be a Level 1 or 2 depending on what the original approval had been. If, for instance, back in 1976, if it was a Chief of Planning approval, then we would be treated as a Level 1, but because it was a Planning Commission approval back in 1976, we are treated as a Level 2. So we have this pre application process which goes first, we will be filing the PAM application in the coming days, then we will have a pre application meeting with staff, then after that we will make the formal filing of the Major Site Plan Amendment. Once that occurs, then there is another post application area meeting that occurs and is required and like I said, it's a Level 2. The ultimate approving authority for the site plan is the Planning Commission but because this is in the historic district, after the Planning Commission, we have to get the final certificate of approval from the HDC.

R10: But this will go before the HDC before for a courtesy review?

SLC: That's something we need to talk to staff about because it already had gone to the HDC for a courtesy review back in February 2016 and at that time it was a larger structure. I don't know. It will be up to staff to determine if we need to go back for another review.

R8: Did the HDC levy any restraints on the site?

SLC: In terms of the garage, I don't have the minutes. I actually wasn't part of that meeting but I believe Tripp can speak to it.

R10: How was the decision made to separate the landscaping from the garage? I mean it seems like the landscaping isn't directly related to the garage.

TA: Well it's because the permit took 18 months. I would have done it a lot sooner but because of the storm water management issue, we decided to focus on that. This is probably the biggest pervious concrete project in Rockville, if not the first, besides the City's own parks.

R2: Tripp, isn't it true that the parking lot in the back and the bulk of the drive there is basically reusing what was previously already there?

TA: Yeah.

R2: So the parking was already there?

TA: The reason why I wanted to do this this way is because there was no handicap access. I also wanted people to be able to come to my office without having to go through the backdoor and through another office to get to the receptionist so now people can pull right up, go to the receptionist at the front door. There is a handicap space to the left of the door with a small ramp that will go up to the door of a 1880s building. It was the easiest, rather than have the lift in the back and again having to take people through two offices to get to, you know, it just wasn't laid out right and so now it's going to be laid out right, and it's going to be less dangerous because the curb cut is right behind that little church which is a law firm now and it's really tight when you cut out of there onto the street so now there is more room to see and I believe the state highway is only going to let me, go in one way and a right turn only coming out.

R8: How wide is the entrance?

TA: It was 15' but I think the fire department changed it to 16', didn't they?

KJ: We have 15' on the approval but you're right, it is 16'.

TA: So they changed it to 16'. I wanted it small to keep it looking like a residential house. And the reason why it's 16' is because that way the biggest fire department vehicle can fit but in my experience, they don't care where the driveway is, if there is a fire they just drive anywhere anyways.

R8: Where is the nearest fire hydrant?

TA: I wasn't prepared for this quiz.

KJ: It's actually at the intersection of Adams Street and Jefferson.

R8: So on the other side of the old church?

KJ: Yes, correct.

R8: I live in an old house and old houses burn well.

TA: Well as she said, the guy putting in the old gutter was soldering the gutter and he caught the inside of the underneath the sub roof on fire. Well it wasn't really on fire but it was smoldering.

SLC: So Tripp, I think you said the goal is to relocate from your Arlington office.

TA: Yes, yes. I mean I'm going to relocate whether I have the garage or not.

SLC: So he runs his real estate management office out of Bethesda and will move out of there to move in here and it was mostly the timing that delayed the garage proposal until now since a new structure would involve a more in depth site plan review process.

R8: What happens to the section of fence that you had to cut out to put in that section of the curb?

TA: I'm going to reuse it and weld it back. I'm saving every bit of fence.

R8: Where will it go?

TA: I'll probably take it on a 90 degree and turn it back along the property line to continue it. But yeah, I'm saving as much of the fence as I can.

R8: Because a lot of the time you get stuck and I seem to be stuck right in front of your house and I love that fence.

TA: I have a fence and I have a section of that same fence up in Cape May, I have a little house up there and it came from a Philadelphia church and the previous owners used it in the front and I have been saving that section so now I have a new project. My son is a welder and he can't wait to start fixing it.

R10: I don't know how much you know about the history of the neighborhood, but in the 70s and 80s you wouldn't have a residential neighborhood on West Montgomery Avenue if we had not created the historic district because it's an ideal location for anybody who runs a business or a school or any kind of operation and so given I-270 is there and you have Town Center and the Pike and so what you are hearing from us is grave concern because as these properties stop being houses and stop looking like they're houses, then all of the sudden you have a different neighborhood and so it's an ongoing continuous battle, and so our concerns, and you'll probably hear them restated again in many different ways is that we don't want something that ends up looking like a commercial, a significant commercial operation in a historic house.

TA: Well, all I can say is you're not going to get that from me. I mean I don't know how else I can tell you. I'm really into the historical stuff. I've renovated from Key West to Cape May and they have all been old, late 1800s. I even had molding done to match the inside of the existing house. The design of the parking lot and the garage itself is designed in such a way that it is away from the public view so to speak. It's off behind landscaping and nobody will really see it. Unfortunately the church will see it because that's where everyone comes in but for people driving by it will look like Colonel Lockett still lives there but he got a brand new circular driveway.

MA: Can I ask a question? I don't know everything about this like he does but before you purchased this, wasn't it an office?

TA: Yes.

MA: So as an office use before and if I can remember from when we walked through the house that's already zoned office before he purchased it was a mess and it was falling apart

and it was an eyesore and he's turned it into something absolutely beautiful and has gone through so much just to restore it and make it look so beautiful.

R8: The house is beautiful. It's the other stuff that's the issue.

R10: The issues aren't relative to the house.

TA: I don't want anyone's appreciation, I'm happy to do it. I love that old house.

R10: No, no, I know. I think we are all appreciative of the fact that you have restored it. I don't want you to leave here with some kind of....

TA: No, I know I did.

R10: I really don't want you to leave here with an adverse sense on things. The issue is more will it project the image of being a house even though we know it's a business. That's part of the whole historic discussion.

TA: And I can tell you, yes it will because very rarely do I have any vehicles in my parking lot at night or on the weekends. I mean I've been there, I've owned it for a year and even though it's been a gravel parking lot, I've had maybe a truck or two there parked occasionally but mostly it's empty... the church uses it every Saturday and Sunday.

R2: I parked there every Sunday morning until you started your construction. I have a quick question. Across the street is the Academy Building which is in play, we don't know what the next potential purchaser is going to want to do but one of the things is that one of the uses is still there today is by-right residential, I think yours has that same, it's a by-right residential, unless it's a different zone.

SLC: It's the MXT zone.

R6: The MXT doesn't allow a residential....

R2: So I would say that what he's done there if he ever goes to sell it, and Larry, I think you were speaking rather eloquently about there's a lot of these old attorney buildings that aren't being used, there isn't a market for them then I would say this one would go back to residential surrounded by the paving in the next corner down.

SLC: It's curious, what do you mean by by-right residential? I mean it's MXT and residential is a permitted use just like office is a permitted use.

R2: If someone wanted to buy that and move their family into it, they would not have to get a use permit from the city. That's what I mean by by-right.

SLC: I think you would still need to amend it. You would need to amend the use approval. On the site is office, not residential so if it were to revert back to residential, you would need to amend it.

R2: Counselor, I would disagree with that but I'm not the attorney in the room. If you look at what requires a use permit....

SLC: Yeah, but it has to be reverted back to residential...

R2: Residential doesn't require a use permit in some zones, I'm not sure if it's that particular zone but if it's the same as the Academy Building then you don't need a use permit for residential, it's by-right.

SLC: I've never faced that circumstance, so maybe.

R4: So just to follow up on what Maureen had said about the history here, I live on South Van Buren Street which is [inaudible] to Jefferson and you're right across the street, diagonal, a family bought the property in '52 and then my husband was raised there and then we moved there in '75 so your property was for sale right around the time that I believe it was someone named Watkins, somehow I remember that name, it was a gentleman and I think it had been passed on to him or he was there and it was too much house. He really didn't want to live there anymore. So he was wanting to, I think, convert it then to office space. There was only one kid on the block and my father said Jane do you want to keep that as a house or do you want to see it converted as commercial? I said it's nice as a house, it's historic, let's keep it. He said get a petition and go around the block so I did and everyone signed it and Jackie Williams was the big leader at that point to try to keep historical properties, so there was a movement then and since then, it's been ongoing but there is a strong feeling in the neighborhood about keeping the historical nature and I think that's what Noreen was saying. This goes way back because before that, there was no Peerless Rockville and a lot of the old beautiful buildings gone, wrecking ball, in the 60s in the name of urban renewal.

TA: Well the same thing happened in Cape May.

R4: And it happened in Towson and Baltimore, it's all over the country so we wanted to make sure that this didn't happen anymore.

TA: I understand and that's why the garage is designed in such a way that you would drive by, if you weren't familiar with this property, you would drive by it when I'm completely done and think that someone lives there, besides maybe the handicap sign and I have a sign for my business but if you take those two things away, you would drive by thinking that was residential. I mean my house in Bethesda is kind of the same way. It's a 1900 cedar shake house, it's almost like a beach house but that was under the TSR zone and now its transit station residential and that was meant to keep the residential look but have an office in it and I would much rather go to work every day to a place that looks like I'm going home then going to an office building where the windows don't open.

R9: Well if you're a real estate person and take care of your, you would like to have your place of business look like home. I think, well I not only think, but it looks like someone lives there.

R8: We talked about the garage and you said it was wood lapse siding?

TA: Yeah, it's um.

R8: Hardy?

TA: I would love to use hardy but I don't know that they would allow me to, I guess they will, but hardy plank, once it's painted smooth, once it's painted, it will look just like it's wood. It wouldn't be exactly like the siding on the house.

R8: The question is what is the exterior of the garage going to be?

TA: Ideally, if it were my world, I would like to match exactly what's on the house now but you can't do that.

R8: You can be close, just not exact.

R3: I had a question about the contents of the garage. From the earlier discussion, it sounds as though there are just going to be vehicles parked in the garage with minimal storage. Am I safe in assuming that you aren't going to be storing any chemicals or any other fuel or combustibles in that garage? The reason I'm asking is because of that proximity of that garage to the preschool. You are 13' from the lot line and the preschool is another 10-12' beyond that and if you were to store a lot of lawn chemicals or fuel for vehicles apart from the fuel in the tanks, that would be a problem.

TA: No, I wasn't planning on that, it's just for vehicles.

R8: Will there be a fence at the back of the property?

TA: Yes.

R8: Is it wood?

TA: That's his fence there.

R2: We had a fence there that the church took down to accommodate for the parking and the intent is to put that back and it's a white vinyl.

R7: Are you storing gasoline for the trucks or are you going to a regular gas station?

TA: I go to a regular gas station.

R7: And for repairing your trucks?

TA: I go to a service station, I don't do any repairs there.

R7: It's important. I don't want to hear machinery going as you're fixing something.

TA: I mean if there is a flat tire, we're going to change the flat tire, but other than that, there won't be any of that kind of work going on there.

R8: So are the shutters decorative or what?

TA: No, they all work and they all shut. It's going to be the same on the garage too.

R8: Working shutters?

TA: Yeah, just like the house.

R8: What are they made of, are they wood?

TA: They are cedar.

SLC: We haven't submitted a materials list to the HDC obviously but that process will be coming.

TA: I have it in my head.

R9: I don't know why the historic district would, you know, say no to this when it would accent or go along similarly, you know.

R8: Yeah but they're fanatics about it because they want people to know that is original and that is a replica. Do you know the number of cars and trucks that go past your house?

TA: 30,000?

R8: I have a speed camera in front of my house and they say it's between 27,000 and 30,000 a day. That's both directions. At certain times, you may not be able to get out of that curved driveway.

TA: Yeah, but it'll be a right turn only.

R8: Even with a right turn, it'll be backed up. Will there be trees in the front?

TA: Do you have the landscape plan?

KJ: I have the forest conservation plan.

TA: Yeah the previous owners really didn't do a lot on this yard.

R8: Are they shade trees?

KJ: Yeah, I believe there's a dogwood on the one side.

R10: So it's small trees, not big trees.

R8: So is the garage just the same permeable concrete?

TA: No it's just regular concrete.

R10: If we want to chat that's ok, but if we don't have any more hard questions, maybe we can wrap up?

SLC: Ok.

R2: Tripp, do you own your building in Bethesda?

TA: Yes

R2: I happened to go by a couple three weeks ago when this first came back up and my observation was that it was well maintained and I went into the parking lot looking to see what was stored back there and I didn't see any parked vehicles or anything stored in the parking lot. So I would encourage anyone with concern to go by Tripp's operation there. I didn't come here this evening to present his side of the argument, that's just my observation.

R8: But you're a neighbor.

R2: I don't live in any of the houses, but I have interest in two of the homes. One historic and one not on Forest Avenue and I met Tripp at the church.

R8: Do they require you to do water sprinklers?

TA: No.

R8: Just curious.

R10: They didn't? That's not my thing but neighbors, when they put on additions, like the one right next door to me. The addition is smaller than the house and they are being required to put sprinklers throughout the whole house.

TA: Yeah but I didn't really add on to anything, I just fixed it.

R10: I'm just amazed.

SLC: I think Larry has something else.

R6: You may have done this in the intro so I apologize but from a process stand point the purpose of a meeting like this is to hear questions and potential concerns, ideas, whatever from people that may have an interest in what goes on and what gets built here so I guess my question is, from a process stand point, how does all of what was shared here get memorialized and then fed back to what will ultimately go to the Planning Commission?

SLC: We actually have a minute taker here and she has been recording the whole discussion, which she will transcribe as minutes.

R6: So it's literally going to be like a word for word transcription?

SLC: I think that word for word would be a little tough, we'll need to clean it up, but close, yeah.

R6: I understand.

R8: The last question I have is the massing issue. So is the footprint of the garage going to be bigger than the footprint of the house horizontally?

R6: The depth is the width of the property.

R8: So what, like 16x18 vs 40x20?

TA: Is there a measurement on the depth?

SLC: There's a covered patio in the back.

KJ: If you're standing in front of the house from Jefferson, you won't be able to see the garage at all.

If you were standing at the same POV on the left there, you would be. So if I stepped 15 feet to the right, you can see it right there, so another 15-20 feet to the right, you would definitely see it.

KJ: My point was that the garage is less than the total width of the garage.

R8: One of the things they talk about when you have new buildings is you don't want the new building's mass to overwhelm the existing building.

SLC: Well and I think the elevation drops about 4 feet towards the back so you would have a diminishing sort of....

R8: Yeah but then on the side, you can see it so. It's the massing that the historic people always ask about.

TA: I think with the history and nature of this house, the only place you could put a garage is where I want to put it. I don't think I could put it anywhere else that I would feel comfortable with.

That has always been the preferred place, is directly behind because they put a lot more credence in the street view right on, regardless than they do from the back.

SLC: There actually was a detached garage on this property.

TA: Wasn't there a carriage house at one time when the street came through?

R6: At some point though you don't take that into consideration. There was a barn in my backyard and I don't think the city would be too keen on me building a barn in my backyard. Just because it was there...

SLC: Would anyone like my card? I know most of you know how to reach me.

R8: What's the time frame here for all of this? When do you think it'll be done?

R6: We covered a little before but what's the time before you go to the Planning Commission?

SLC: Well it will take at least another 30 days just to get through this process so if we file right away, maybe in 6 months.

R10: And it will depend on when you go to the HDC as well.

R8: So are you going to be using the parking lot?

TA: Yeah, I will.

SLC: When are you moving?

TA: It's complicated. But as soon as the landscaping is done and the driveway and the parking lot are done, I can move in. I mean the house is ready. It's been ready for a year. Unfortunately with Rockville, it's just taking forever.

SLC: You think you'll move in at the end of spring? Do you have a sense?

TA: It'll be end of summer probably. Summer or fall. 6-9 months and I'll be in there.

R4: So what's the name of your company.

TA: Aubinoe Management.

R4: That's right because I saw you on tv before the Mayor and Council.

TA: That was for this, right, for Rockville?

SLC: It was for HDC. Also, I think I said this in the beginning but the decision to put the cupola or cupolas on the garage is to be determined... we're not sure yet.

R9: What body decides that?

TA: The historic commission will tell me yes or no but I think that if I did put a cupola it would be two, not one in the middle.

R8: Are they supposed to be functional like for ventilation?

TA: Yeah if you had a barn.

R8: So this garage is not going to be air conditioned or anything like that?

TA: No, no. It'll be hot in the summer.

R9: Well the concerns that we have brought to you and the answers, if that can all be validated in writing. There were a lot of fears and yes this is historic and yes this was residential and as Larry, who is a former mayor saying about having things in writing I agree with him wholeheartedly and his very important questions so I am kind of satisfied.

R10: Just so you know from our side, a lot of us live in the West End and are the West End Citizens Association which is an organization of all the people who are 18 years or older that lives here, so this kind of issue, our neighborhood will get notices about it and we will talk about it at our sessions so just so you know we will talk about it and eventually will develop a position at some point.

R6: Have you all had a conversation with Nancy Pickard?

SLC: She participated in the courtesy reviews for the garage but not recently.

R6: Might I suggest that you do?

R10: I talked to Nancy today and she could not come tonight but she is definitely interested in the project.

R6: As the West End we often have conversations with Nancy and while we may be passionate, she is very knowledgeable on historic preservation generally and for Rockville specifically so I know it would be an extra hour or two of your time but I would.

TA: I've talked to her, I talked to her and dealt with her during the whole process before when I had the garage and the original plan so she is well aware of it but we can talk again.

R6: I would suggest. It could only be helpful to sit down with her for an hour and actually have a real conversation with her about where you are now and not where you might have been.

SLC: Alright, thank you all for attending tonight.

107 WEST JEFFESRON, LLC
107 WEST JEFFERSON STREET
PRE-APPLICATION COMMUNITY AREA MEETING
February 28, 2018

ATTENDEE INFORMATION

<u>NAME (Please Print)</u>	<u>ADDRESS (Please Print)*</u> Include city, state, zip code	<u>E-MAIL</u>
NOREEN BRYAN	207 S. WASHINGTON ST. 20850	noreen1945@yahoo.com
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Jacques B. Belin	105 South Van Buren St 20850	
Jan Schumann	118 S. Van Buren	
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Maureen Aubinoe	7507 MILLINGTON RD, BETHESDA	maureen@ala-mc.com
ED BOWLING	112 W. MONTGOMERY AVE ROCKVILLE	
LARRY GIAMMO	124 MONUMENT ST, ROCKVILLE, MD	
NANCY PICKARD NOT ABLE TO ATTEND	EXEC DIR PEERLESS ROCKVILLE	

*Also provide phone/e-mail address, if desired.

Attachment 1.A.d: February 28, 2018 Pre-Application Area Meeting Minutes (2197 : Stp2018-00354)

LUCKETT HOUSE
107 WEST JEFFERSON STREET

MINUTES OF POST-APPLICATION COMMUNITY AREA MEETING

June 14, 2018 at 7:00PM

A Post-Application Community Area Meeting was held on June 14, 2018 beginning at approximately 7:00PM at Rockville City Hall to discuss the property located at 107 West Jefferson Street. Present at the meeting were Soo Lee-Cho of Miller, Miller & Canby (SLC), Tripp Aubinoe (TA), property owner, Maureen Aubinoe (MA), property owner's wife, Nicole Walters of the City's Community Planning and Development Services Department (N) and four (4) members of the community (R1-R4). Soo Lee-Cho began the meeting with minor introductions.

SLC: So, we have Brittany, again here taping a digital record of the discussions which she will transcribe. I'll get started. So we're here for 107 W. Jefferson, again. This is our formal post-application area meeting. We have filed now for the major site plan amendment.

R1: What procedures are you going to follow after this meeting?

SLC: So, we filed a Major Site Plan Amendment application. It is following a Level Two Site Plan review process. That will require Planning Commission review and approval. The very next step after this meeting will be the Development Review Committee meeting (DRC) with City staff, where we will get comments from the various internal departments of the City reviewing the application, and then from there, we will be getting ready for the Planning Commission meeting.

R1: Do you have to go before the Historic District Commission?

SLC: During the pre-application meeting process, it was determined by staff that because this application had already gone to before the Historic District Commission for a Courtesy Review of the detached garage, which was at the time, a slightly bigger footprint, and that this is just a reduced version of that, that a further recommendation review by the HDC would not be required. However, of course, we would have to go to the HDC after the Planning Commission hearing for a formal Certificate of Approval, which is the final permit that, because this property is located in the West Montgomery Avenue Historic District, the HDC has the ultimate permitting approval, so to speak, in addition to DPW permitting. So we will end up going to the Historic District Commission, but not before the Planning Commission meeting.

R1: I don't know why you would have to go afterwards, but...

SLC: Because we need a Certificate of Approval in order to proceed with construction within the historic district. So, I'll just very briefly describe the proposal. The proposal is to construct a new detached garage at the back of the site. The detached garage sits behind the

existing house at 107 W. Jefferson and is perpendicular to W. Jefferson. It is a four car garage designed with four separate garage door entrances, single story. The square footage of the garage is a little over 1,500SF in footprint. The height at the peak is 19 ½ feet. We are not proposing the cupolas anymore.

AA: They don't really match. It wasn't my idea.

R1: It attracts more attention that you don't want.

AA: Yeah, yeah. It's going to blend and the roof will be similar to what I have on this roof. The garage doors will, well they won't be exactly like the existing garage doors on the original house, but something similar that will complement each other.

SLC: So that is the proposal. Are there any questions?

R1: Yeah, you're Mr. Aubinoe, right?

AA: Yes.

R1: Am I pronouncing that right?

AA: Yes.

R1: You are now located in Bethesda, Arlington Avenue?

AA: Yes, Arlington Road.

R1: And it's in a small house.

AA: Yes.

R1: And behind it you have a parking lot that is shared with other adjoining houses.

AA: That is correct. I have, I think, 12 spaces to myself.

R1: And you can use them exclusively?

AA: Yes.

R1: And you don't have a garage there, do you?

AA: No.

R1: And you've been getting along without a garage?

AA: Yes.

R1: What I would like to know is what you're going to do with this rather large garage that you want now.

AA: I'll be putting vehicles in there. Trucks and personal vehicles.

R1: Ok, because you didn't have a garage for your operation in Bethesda.

AA: No, but if I had the space, I would be applying to have one at the Bethesda location, if I was staying there, but I'm not, I'm moving to a larger space; a little more breathing room.

R1: You're having a grand house here, compared to a very small house on Arlington Road. Ok, and when you applied originally, had you thought of wanting a garage?

AA: Yes, when I applied originally, when I went in front of the Historic District Commission, that was the whole grand scheme, but then I decided, well, I'll get the parking lot done and the driveway done and come back and do the garage at a later time.

R1: You made the decision to make it into two steps?

AA: Yes. Personally, yes. I didn't realize that the permit process was going to take 18 months for me to get a permit for a parking lot. So that was part of the delay.

R1: And for parking, did you ever consider using the academy parking, which is almost always empty across the street?

AA: You're talking about parking next to the old school house?

R1: Yeah.

AA: That's not my property.

R1: Did you consider it? Did you ask anybody?

AA: About parking over there? I thought the church owned the parking lot.

R5: It does. The church does.

R1: They might have let you if you asked them, I don't know.

AA: Well, I don't really need additional surface parking; I'm just adding parking that can be enclosed. So basically on the weekends, per previous meetings and discussions with everyone, the parking lot is going to be empty on the weekends and in the evenings. For the most part, maybe one or two vehicles will be there. I can't say, but for the most part, the church is going to use the parking lot on Saturdays and Sundays.

R5: And funerals.

R1: And weddings, or whatever.

AA: Hopefully more weddings than funerals.

R1: So, were you asking for, or considering a six car garage originally?

AA: Yes. That was in the original plan, but it was, the scale was too big, the doors were too big, so I scaled it way down to keep it complementary of the existing house.

R1: Is it true that you've got two spaces tucked under the house, as it exists?

AA: Well, that's not really; yeah, in 1920, they added on a garage with a patio above, but it is too tight for a vehicle to park in there. That area will be used as storage. I mean I guess technically you could call it a garage, but the door is on a trolley track so the 16 foot door slides this way and comes back along the back wall. So it's not an easy task, I mean plus it is 100 years old.

R1: I'm not in business but I have an old house a block away from you and I don't have any garage. I do have a shed in the back. So, ok.

AA: Right.

R1: Do you intend to store anything in your garage?

AA: Just the typical garage stuff, like you store in your shed. Like a ladder maybe, a lawn mower, a can of gas, maybe a bag of salt, you know.

R5: We had a long detailed discussion about this during the previous meeting and the applicant had committed that he is not storing hazardous materials, he's not storing hazardous chemicals, and has agreed to continue with that a basis for the approval of the permit.

SLC: Well and of course we're not proposing an industrial-type use. The zoning wouldn't allow for a heavy chemical storage facility.

R1: We understand that.

AA: There's not going to be any activities surrounding vehicles around this garage either. It's just going to be a garage to put a car in.

R1: Are you going to repair cars at all?

AA: No. I mean I might have to jump start or something. It's not going to be used as a repair yard.

SLC: It's not an auto repair use. It's an office use with an enclosed garage. Most of his vehicles are commercially identifiable vehicles in that they have Aubinoe Management's logo on the door. As we indicated last time, the employees are assigned cars and they use them to commute to/from their homes.

R1: They take them home.

SLC: Yes, they take them home. But, can there be possibly a car or two on the lot, sure, just like any office building sometimes have an overnight vehicle. It can happen. But if you are looking at his Bethesda operation, they've operated for, how many years?

AA: In Bethesda? 22 years.

SLC: So he is speaking from 22 years' of operating experience.

R1: I read that you've been in business 70 years, so you are very experienced on what you need.

AA: So we've been in business for like 78 years, or whatever it is, 79 years. My grandfather, then my father, then me, and we've been in Bethesda for 75 years and we're making a big move to Rockville just because Bethesda is becoming totally overcrowded. And you know the traffic is a nightmare. I do have some larger F250 trucks that, you know, in the traffic, it's tight, so it's nice to have some space.

R1: I've been to Bethesda and I don't want to go near there.

SLC: But, you know, during the day, will there be trucks coming to the site and visiting the office to take care of paperwork and then leaving? Yes. So, you will definitely see commercial activity on the site during business hours.

R1: Your drivers probably have cell phone, and I mean if they're at a site somewhere, and you want to instruct them to go here or go there, pick up this, you can do it. So they don't have to come home to pick it up.

AA: That's correct. They get dispatched through our office; they don't have to go back and forth.

R1: The size of your footprint is big. It bothers me. You think that it has any effect on the integrity of the site? I don't mean just the building; I mean the whole historic area because of the nature of this site?

AA: I've given it a lot of thought and we've put a lot into the plan to make it blend and make it seem like it was always there and I think that it works.

SLC: When a 6-car garage concept was previously considered by the Historic District Commission, they didn't find any issue with it in terms of massing or compatibility with the historic district. Since what we're now proposing is a down-sized version, we believe the HDC should be okay with it.

R1: So they thought 6 cars were alright and now you're asking for 4?

SLC: Yes.

R1: You are probably aware, since you're an expert on this, about the Secretary of the Interior's standards for historic, will this have any effect on this at all?

SLC: As you know, there are standards for new construction in the historic district, and that is the proper basis for the Historic District Commission's review.

R1: And this is a new construction so you would have to comply with that.

SLC: Yes. So we know the garage can't be an identical replica of a historic structure, it has to reflect modern elements and materials.

AA: It has to be the same, but different.

SLC: Yes, it can't mimic history. So those are the Secretary of the Interior's guidelines.

AA: Personally, I would like to build it exactly like, using the exact materials like the house, to make it look like it was always there but I'm not allowed to do that.

R1: Yeah, I first wanted to paint my house, but it cost so much; I wanted to side it, aluminum siding, and I got permission, they wouldn't do it today, and of course they demand wood, which is very, very expensive.

AA: This house had aluminum siding that we removed.

R1: Yes, you've done an excellent job. That house is beautiful now.

AA: Yeah, it is gorgeous.

R1: On my house before they changed the ... you never know it's not wood.

AA: Right, right, but you're protecting the wood underneath with the aluminum.

R1: Well, I'm afraid that I'm not, probably having rot. You know, you have deterioration behind that and I'm afraid to take it off.

AA: I was really lucky. I mean, I took off the aluminum here and all the wood was in good shape.

R1: You are lucky. Now, you will have customers coming, they don't just call you up, you go over plans and discuss thing with them in your office?

AA: That's correct.

R1: And that's what the circular driveway is for?

AA: It makes it an easier ingress/egress for the people coming and going, for the mailman, UPS man. It's tough turning in at the existing location now because it is right at the church, or the attorney's office that use to be a church and is real close, and it's a blind spot because of the brick wall and it's real close to the other intersection so it's just a bad, bad ingress/egress there.

R1: That's already been approved and stuff. This is for just background and stuff.

AA: Yeah, it just makes it nice for someone to be able to drop off a rent check or drop off paperwork or plans or whatever it may be, they can come right in and drop it off and be on their way.

R1: You know, what concerns me is the entire yard; it looks like a huge parking lot, which is not going to look like a residential home at all.

AA: It's actually smaller than the other one by about 10 feet.

R1: Which other one?

AA: The one that was the gravel parking lot that was there before I started this project. I actually had to dig out gravel for the forestry people... I couldn't have the crushing lawn of the gravel there and plant plants on top of that. I had to remove it and bring in soil.

R1: Yeah, but still, the historic area that, you know, the 19th century housing containing you would expect a lot more grass.

AA: Well we planted 30 trees and probably 300 shrubs. So, I'm saying in 3 years, you're not even going to be able to see this parking lot. You can barely see it now, even though it's under construction. But I can see it really being nice; you'll drive by and it will look it an old house and the way the contour is and the curve driveway going back off the circular driveway to the back parking lot, it's really, you're going to be thrilled. If you like old houses and you like old Rockville, I'm your guy because I love it; I love the history, I love the old, I matched moldings and stuff, you know.

SLC: I just wanted to draw your attention to the amended landscape plan on the board.

R2: Those are all of the planted trees?

SLC: Yes.

R1: Are they all in now?

AA: Not quite because I have to, I can show you.

R1: Because what I see are pretty small trees.

AA: Yeah, well these trees have not been planted yet. I've planted all of this to here and I've planted all of the front so this hasn't been planted yet because this is still a construction entrance of the existing apron, and as soon as we connect this piece here, then I'll be able to backhoe this and plant this and take out the gravel and all of the construction materials and as we leave, we'll plant. I have a lot of the trees sitting there waiting to be planted. That's hopefully going to happen in the next month.

R1: The construction entrance has to be

AA: No, construction entrance, this apron here, the one that I have been using now, it's tough because of the corner here, is going to go away. The only entrances, aprons, we're going to have is here and here, at the circular driveway.

R1: How are you going to get to the parking lot in the back?

AA: There is, off the circular lot, there is a driveway that goes back. So that's what I'm saying. All of that is going to be really hidden, once everything is planted. This isn't planted yet either, by the way.

R1: Did you consider access from the Adams Street property?

AA: Oh, I don't want to deal with any more neighbors like you. You know actually, that's the way it used to be I guess a long time ago, but I like the frontage, I like having the grandeur of having the circular driveway in front when people come to my office and there's a place to go, I mean, if you've ever been in the schoolhouse across the street, it's really, I was thinking about buying that one and renovating that one, but there is no real ingress/egress to that. Adams Street is one way; the front entrance is facing away from the street.

R1: Well I had a dentist in there. I walked but other people drove and there was no problem. I'm not telling you to reconsider.

AA: Right, right.

R1: That property is for sale.

AA: I like the fact that you know where the entrance is, you know where to go, you drive in, you drop off, you leave. I like that aspect of this. The cars that are parked back here will disappear just like the garage will disappear once everything has matured and there is a lot of trees back there.

R1: And the historic district is wanting to mask it by trees, they're happy.

AA: Well and I'm happy too. I don't want to pull in and see a big parking lot. But the elevation is such that this is up higher and it kind of goes down into, even if it's 3 or 4 feet different grade, it's kind of, you know, and it was already a parking lot anyways, all gravel. I could have just left the gravel and used it and use this entrance. So, I mean if you look at the houses around here, everything is blacktop every square inch all the way around it. So, if I were you, I would hope that whatever Rockville made me do, it makes everyone else do when the time comes because this is going to be gorgeous once it's done and once everything matures.

R1: The church parking area is all blacktop.

R5: Yes, they are.

R1: But that is pre-existing. I guess if you wanted to create it now, there would be all kinds of new requirements.

SLC: You would have to incorporate a number of landscape islands. You would lose spaces.

R4: And we don't have that many to lose.

R4: Well Tripp has been very gracious to let us use his lot and hopefully will...

AA: Well you've been using it for 25 years, haven't you?

R4: At least that long.

AA: Who am I to stir the pot?

R5: Do you have approval for a curb cut?

SLC: Yes, all of that has already been approved, so that was under a previously approved Minor Site Plan Amendment... see the parking lot, landscaping...

R5: Because I notice that there is a curb...

SLC: Correct. But that is not part of the present application.

AA: What are you talking about?

R5: Your new driveway, in the front, you've got a curb. exit out onto...

AA: Yes, there's going to be one exit in and exit out of the half circle and the other entrance now is going to go away that's just going to be a sidewalk with a curb.

SLC: So all of that was approved under a previous Minor Site Plan approval. All we're talking about now is adding the garage.

R1: What still concerns me, and I'm not sure I understand, is you've been getting along without a garage on Arlington Avenue and now you need a garage.

AA: I have always wanted one.

R1: I've never wanted one.

AA: So, and now I'm going to try to build one and if I'm denied, then I won't build it, but if I'm approved, I will...

R1: You could still do business fine without it.

AA: Yes.

R1: I mean you could create one in industrial park in town, 5 minutes away and still have cell phones connect you.

SLC: But that's not the purpose of this garage. It's not to store industrial materials...

AA: I do have some older vehicles. I have a 1959 Chevy Apache pickup truck and I have a 1951, Chevy truck, 3100 that I would like to park there. Those are two of the vehicles.

R1: Are they more delicate that they can't be rained on or something?

AA: They're 1951 and 1959.

R1: You've got a couple old cars and you're going to build a garage for it? I don't understand.

SLC: I don't we have to understand why he wants to go through this process for a garage. It's a detached garage that he would like. It is certainly allowable in the zone as a use and I think he has the land now to essentially build a garage that he's always wanted. The fact that he didn't have one in Bethesda and was fine is sort of irrelevant really.

AA: I mean if I had the room in Bethesda, I would've built one already.

R5: He's upgrading his operation.

MA: And anything that isn't in the garage would be outside of the garage so you won't see it if it's not there.

R1: I'm concerned that it won't look like a residence which is preferable and you probably have to comply with the signs. The dentist across the street, he fought forever before the signs and the lettering, Rockville is very tough on that kind of stuff. And while it's maybe nice to have a garage and you like it, and you could get along without it, what impact does it do for the integrity of the whole historic area? This is a prime house in one of the main historic areas and we're threatened all of the time.

AA: I think that this house is going to be the premier historic house in Rockville when it's done, with or without the garage. And I said it, I like historic things, I like old houses. This is not my first renovation on an old house. And I've placed this garage exactly where nobody can really see it because it's perpendicular to Route 28 and it's centered behind the house and I think that if you look back at historic Rockville, you will see there is all kinds of carriage houses and garages, so to speak, that were part of the Rockville.

R1: A lot of things were done in Rockville before historic districts. They started when I came. Can you show me please exactly when you say perpendicular, is this it?

SLC: Yes. So this is, what I mean is, this is W. Jefferson Street and so this is the garage so it's perpendicular to the street.

R1: And the house is too...

SLC: Yes.

R1: So it really would be ... here. And there is grass and plantings along here.

SLC: Right, so it's tucked behind so from the street you're driving by, you'll get a glimpse, but nowhere close to a full view of the garage.

R1: Yeah, when you're over there, you'll get a glimpse.

SLC: You'll get a glimpse but as you're passing by, you won't see it behind the house.

R1: Is that a

AA: Yeah, these are trees and then there is planting all along here, but there is the view that we're talking about.

R1: That's your garage?

AA: Well that's the 1920s garage and this is the 2019 garage if I get approved. So what you can see, there's going to be a lot more planting than this shows because we took away some of the landscaping so you could see the house so imagine 10 more trees in your view.

R1: Actually, my house is hidden by some trees pretty well, which I like.

AA: Yeah I like it too.

R1: And it might cut down on a little noise from Route 28, which is W. Jefferson. You got like 30,000 cars.

AA: Is it that many?

R1: At different times. At rush hour.

AA: So Rockville Pike must be like 60,000?

R1: That's what we're fighting; overcrowding of the road structure.

R2: That's another parking area to the left of the house, correct?

AA: That's handicap.

R2: Two spaces?

AA: Yeah, well one and a half really.

SLC: It's only one space.

R1: Oh, so you're not using your main parking with a handicap entrance from there.

AA: No because what I can do, the elevation is such, does this one show it?

SLC: There's only one space and that cross hatch is a loading area.

AA: But if you look at it right here, here is the hatch, here is the handicap, and it's only 7 inches, so I only have to have a ramp like 7 or 8 feet.

R1: You mean 7 inches of what?

AA: Rise to the front porch. So it really makes it convenient for the handicap individuals to come through the front door rather than being whisked around on the space in the back and then having to have some sort of lift, plus the doors is going to be 6 inches. And I have a handicap bathroom too. So it just makes it easy for them too. The historic commission really liked the idea that I had a handicap space in the front because no one does. I got one feather for that.

SLC: Well thank you all for coming out and has everyone signed in? Are there any other questions?

R1: When do you think you will be going for a hearing?

SLC: It will depend on the schedule. At this point in time, I don't have a tentative Planning Commission date.

N: We'll talk about it further at DRC.

SLC: DRC is scheduled for the 28th. We don't expect significant issues at this point, I think it will come down to how long staff takes to write the staff report. I don't anticipate any major issues that will require the applicant to revise plans or anything. So it will be just a staff report generation issue that will guide the timeframe.

R1: Yeah, the later the better. That way everybody is around.

N: We won't make it in July, it definitely won't be July.

R5: What is your construction window?

AA: My construction window is Rockville's construction window.

R5: It's not a particularly great thing to do in the middle of winter.

AA: If we got approval in September, October, I would probably just start in the spring.

R1: Yeah, they can operate without it. And the way our winter is, so mild.

R5: Construction winters are not pleasant.

AA: How much time do I have once I get permits?

SLC: 2 years.

AA: Ok.

SLC: So I would hope earlier in September at the latest.

N: I don't see any reason not.

R1: The later the better because you have people who won't be around.

AA: Well then I suggest the earlier the better. Just joking.

N: Even if it is earlier, you can always provide a comment to me which can be part of the record.

SLC: Alright, well thank you all.

**107 WEST JEFFERSON, LLC
107 WEST JEFFERSON STREET
POST-APPLICATION COMMUNITY AREA MEETING
June 14, 2018**

ATTENDEE INFORMATION

NAME (Please Print)

ADDRESS (Please Print)*

Include city, state, zip code

[illegible]

***Also provide phone/e-mail address, if desired.**



Agenda Item #:	<u>1</u>
Meeting Date:	<u>August 8, 2018</u>
Responsible Staff:	<u>David Levy</u>

SUBJECT:

Rockville 2040 Comprehensive Master Plan: Proposed
Structure and Schedule

RECOMMENDATION

(Include change in law or Policy if
appropriate in this section):

Staff recommends that the Comprehensive Master Plan (CMP) be separated into two parts for the Planning Commission's initial review and for public hearings: 1) the Elements and 2) the Planning Areas. Staff also recommends that the Commission discuss the treatment of the planning areas and neighborhood plans in the updated CMP, and staff recommends that an update to the neighborhood plan for Planning Area 4 be included as a revision to the approved Scope of Work.



Planning Commission Staff Report:

MEETING DATE: 8/8/2018

REPORT DATE: 8/1/2018

RESPONSIBLE STAFF: David Levy, Chief of Long Range
Planning 240.314.8272
DLevy@rockvillemd.gov

SUBJECT: Rockville 2040 Comprehensive
Master Plan – Proposed Document
Structure

DISCUSSION:

The following is staff's proposal for completing the draft of the Rockville 2040 Comprehensive Master Plan (CMP), delivering it to the Planning Commission for initial review, and structuring the public hearings. Aspects of the proposal would entail a modification of the approved Scope of Work (Attachment A) and, if supported, would require Planning Commission approval.

As part of this proposal, staff recommends that the CMP be separated into two parts for the Planning Commission's initial review and for the public hearings: the Elements and the Planning Areas. Staff also recommends including an update to the neighborhood plan for Planning Area 4 as part of the Scope of Work.

CMP Part I – The Elements

As we have discussed with you previously, citywide policies are being covered in the Elements portion of the Plan. This portion includes chapters on land use, transportation, municipal growth, housing, environment, water resources, parks and recreational facilities, community facilities, and historic preservation. In addition, there is an introductory section that includes the city vision and planning principles, current planning context, demographics and legal framework. Long-range planning staff has worked with staff from throughout the City to draft the policy framework for each chapter, testing the concepts through significant community outreach and public input (the kick-off meeting, multiple listening sessions, citywide forums, open houses, community meetings, etc.) and research (resulting in Trends Reports). More information on this process to date is available at: <http://rockvillemd.gov/index.aspx?nid=203>.

Staff anticipates that the Elements draft will be finalized in the coming two months and transmitted to the Planning Commission in the Fall. The goal for the Planning Commission will be to review the document at a fairly high level to get it to a point that the Commission is comfortable releasing it for formal public testimony, at which time the Commission will set a public hearing date (see below for options on structuring the public hearings). After receiving public testimony, the Planning Commission will, of course, have the opportunity for work sessions to refine the document and develop the plan that you will recommend to the Mayor and Council.

CMP Part II – Planning Areas and Neighborhood Plans

Planning Areas in the Updated CMP document

The current (2002) CMP includes brief write-ups of 2-9 pages on each of the city's 18 planning areas, including policy and action recommendations. The city's broader master plan also includes eight neighborhood plans, which cover nine of the planning areas (the Twinbrook Neighborhood Plan covers two planning areas) and have been produced as separate documents. Five of these eight neighborhood plans have been adopted since 2001, while three were completed in the 1980s.

Since the launching of Rockville 2040, staff has communicated with the public that the discussion of each Planning Area will be updated for the new plan. When Listening Sessions were held early in the process, staff made sure to hold at least one for each planning area, and participants were provided with the existing language and asked to review it. Drafts have been developed for most of them, and further meetings have been held with groups to discuss outstanding issues. We plan to return to some planning areas to get additional feedback.

Treatment of Existing Neighborhood Plans

The Scope of Work that the Planning Commission approved for Rockville 2040 did not include updating neighborhood plans. Long Range Planning staff intended from the start that the updated CMP would identify the status of each plan and include a recommendation regarding the disposition of each plan. Some plans would be adopted by reference into the new plan, with modest changes where appropriate; some plans would be recommended for updating as a key next step after the CMP was completed; and others would be eliminated, if they were no longer relevant. New plans would also be recommended. This approach is the recommendation for this memorandum, with a potential modification for Planning Area 4, as described below.

Planning Area 4 (PA4 - West End and Woodley Gardens East-West)

As with all Planning Areas, staff held a listening session in and for Planning Area 4 (PA4). We asked PA4 participants to review the relevant planning area language, both from the 2002 CMP and from the neighborhood plan, and then provide feedback at their Listening Session and afterward. Participants in the Listening Session did provide feedback. In addition, PA4 representatives determined that the 1989 neighborhood plan was very out of date and needed to be updated. Such an effort was not specifically discussed with the Planning Commission or included in the CMP Scope of Work. To initiate the effort, PA4 representatives applied for and received a City of Rockville Organizing Communities and Neighborhoods Matching Grant to conduct a survey of the community. It was structured similarly to one conducted in the 1980s, in preparation for the 1989 neighborhood plan. Based largely on the results of that survey, PA4 representatives drafted what they wish to be the starting point for a new plan for that portion of the city and shared it with staff in December 2017.

Since April, planning staff have been having regular meetings (every few weeks) with a PA4 committee to discuss their draft and how it might fit into the CMP process, and also to get PA4 input on other components of the plan. The most recent meeting was held on July 31. While the Commission has been made aware that PA4 representatives want to update their plan, staff has not yet requested or received direction from the Commission regarding any change to the approved project Scope of Work, including completing a full neighborhood plan for PA4.

In subsequent conversations, PA4 representatives have indicated that they would like their neighborhood plan to be physically included and adopted into the overall citywide CMP in place of the previously intended brief Planning Area write-up. Staff recommends accommodating this request. The approach would be to include the document as an addendum at the end of the broader document.

Staff's intention is always to provide equal treatment to all parts of the city. As such, the draft plan will include, where warranted, recommendations for updates to other neighborhood plans. When those updates are adopted, they, too, will be attached to the CMP document. Until then, the plans that will be continuing forward, which are all those developed since 2001, will be adopted by reference into the master plan, with whatever minor modifications are warranted.

The advantages of moving forward with updating the plan for PA4 include that:

- The community's desire to have an updated plan came out of the Rockville 2040 community outreach process, in which the community reviewed its own plan and came to the conclusion that it is out of date.
- Staff agrees with this conclusion and believes that a full rewrite, rather than modification, is warranted.
- No other request has come, to date, regarding other planning areas.

A potential disadvantage stems from a concern that other communities may feel that they are not being provided equal opportunity or focus. Staff would help to address this concern by making the offer to all parts of Rockville to work on focused planning in their portions of the city. As the Commission knows, planning staff is already actively working with communities on various topics, including but not limited to East Rockville and Lincoln Park on the Stonestreet corridor, and Fallsmead and Rockshire on the Rockshire Village Center site.

Staff recommends that the Planning Commission approve this approach. The staff goal will then be to complete the full planning areas section, including the draft for Planning Area 4, by the end of 2018. The

Planning Commission would then have the opportunity to review this draft for sufficiency and make whatever modifications it wishes before releasing it for public testimony.

Staff Recommendations for Completing the Rockville 2040 Draft Updated CMP

The following is the approach that staff recommends toward completing a draft of the CMP.

1. Staff to complete Part I (the Elements) and transmit it to the Planning Commission in Fall 2018 (targeting a November meeting date).
2. Staff to continue working on Part II (the Planning Area brief write-ups) while the Elements chapters are in Planning Commission review, with a goal of bringing Part II to the Planning Commission when the Commission has completed its review of Part I (the Elements).
3. For planning areas with existing neighborhood plans:
 - Planning Area 4 – Continue to work with the PA4 committee to produce a staff-recommended draft plan for that portion of the city.
 - Physically include the neighborhood plan as part of the overall Comprehensive Master Plan, included as an addendum.
 - Staff will submit its recommended draft plan for PA4 based in large measure on the work with the PA4 committee and using the community draft as a key input. Staff will work with the PA4 committee to reach consensus wherever possible. Where there are disagreements, they will be noted and presented in a transparent manner to the Planning Commission when the draft plan is presented.
 - Planning Areas 3 and 12, which date from the 1980s – Bring all information, updated, into the citywide plan and state that the citywide plan supersedes the previous plans. Doing so would eliminate the 1980s plans for Planning Areas 3 (Hungerford, New Mark Commons, etc.) and 12 (Tower Oaks), but retain and update relevant content. If the communities wish there to be an updated plan, the citywide plan can include a recommendation for a new plan as an implementation step; however, staff does not believe a new neighborhood plan is warranted for either area at this time. Sufficient focus can be provided within the planning areas discussions. Focused site-specific study may be warranted as implementation steps rather than plan activities, for example, for the remaining undeveloped Tower Oaks sites.
 - East Rockville, Lincoln Park, Twinbrook and Town Center (adopted plans from 2001-2009) – Adopt these plans into the plan by reference, with appropriate modifications, and recommend that the neighborhood plans be updated as implementation steps. The citywide plan would have discussions of these Planning

Areas. There should be a careful focus on being clear regarding what is new and what is continuing from the neighborhood plans.

- Rockville Pike Neighborhood – Adopt the plan by reference. No full update is recommended as the neighborhood plan was only adopted two years ago.

Public Hearings

Releasing the document in two parts - citywide Elements and Planning Areas - invites a question regarding how the Planning Commission should hold its public hearings. Staff recommends that public hearings be held in two parts, first for the citywide Elements and then on the Planning Areas.

The primary advantage of that approach is that the Elements document will be of sufficient length and complexity that it will merit its own public review. In addition, it will provide the public an opportunity to focus on citywide policies. The Planning Commission will then be in a strong position to gauge the proposed citywide policies as they apply to neighborhood discussions when those issues are discussed.

NEXT STEPS:

Receive a draft of the elements portion of the updated Comprehensive Master Plan.

Attachments

Attachment 2.1.a: Rockville 2040 Approved Scope of Work (PDF)

Jim Wasilak
 Jim Wasilak, Chief of Zoning 8/1/2018



What do you want Rockville to be like in 2040?

Comprehensive Master Plan Update – Rockville 2040 Scope of Work and Community Engagement Program Approved by Planning Commission March 2015

The Comprehensive Master Plan (CMP) describes the vision for the City's future and makes recommendations to help achieve that vision. The CMP guides where, and in what form, new development and redevelopment occur in the community; helps to set a framework for investments in public infrastructure and helps determine whether public facilities are adequate to meet the needs of current and future citizens. The CMP also sets long-term policies on the environment, preservation, housing and the economy, with the purpose of maintaining and strengthening Rockville's neighborhoods, ensuring a strong economic and fiscal future, and enhancing both the natural and community environment.

The city is currently undertaking an update of its CMP and the Planning Commission has approved the following process for carrying it out.

Community Engagement

Citizen participation and input will be essential to updating the CMP. Engagement with the community will underpin the plan update and opportunities for the public to provide meaningful input will occur throughout the process. A wide ranging and inclusive Outreach Program will be put in place, with care taken to engage those who have not historically participated in the planning process, as well as those who have. The Planning Commission may create a citizen advisory group to help guide some part, or parts, of the process.

Comprehensive Master Plan Kickoff meeting

A meeting to launch the CMP update will be held on the morning of Saturday, May 9, 2015 at VisArts in Town Square. During the kickoff meeting, participants will consider the 2002 CMP Vision and Principles, offer their views and suggest changes or additions. Everyone is encouraged to attend. Attendees will also hear about how to continue to participate as the process moves forward.

Those unable to attend will find information about the CMP and the planning process on the city Web site at: www.rockvillemd.gov/masterplanupdate by viewing displays at City Hall, the senior center and the community centers; by seeing and reading informational pieces on Rockville 11 and in Rockville Reports, or by calling Community Planning at 240-314-8200.

Over >



111 Maryland Avenue | Rockville, Maryland 20850-2364 | 240-314-8200
www.rockvillemd.gov/masterplanupdate



Vision and Plan Principles

Informed by the input received at the kickoff meeting and through the Engage Rockville online civic engagement program, the Planning Commission will hold worksessions to develop a Draft Vision and a set of Draft Principles that will guide the Plan Update.

Listening Sessions/Meeting in a Box

Meetings will be held throughout the city; in all geographic planning areas (18 in the 2002 CMP) to learn of citizen hopes and concerns. Meetings will also be held with cultural, business, non-profit and governmental stakeholders. Those not wishing to attend a meeting facilitated by staff may hold their own meeting: staff will supply “Meeting in a Box” materials and the results will be turned in to staff for inclusion in the process. Comment forms will also be available online, through Engage Rockville, at City Hall, the senior center and the community centers, or by calling Community Planning at 240-314-8200.

Developing the Fact Base Through Topic “Scans,” and Discussion

Staff will complete a series of topic reports, called “scans,” that explain existing conditions and current issues. Topics include the environment, community facilities, transportation, land use, historic preservation, housing and the economy. The topic scans will be discussed by the Planning Commission, as well as the relevant Boards and Commissions, and made available to the public. Public feedback on the material in the scans will be encouraged at meetings and through Engage Rockville.

City-wide Forums

A series of city-wide forums will be held in early 2016. These forums will be open to the public and anyone with an interest in the plan will be welcome to attend. Using the draft Vision and draft Principles as a guide, forum participants will develop a set of draft goals and objectives that will guide development of the draft updated plan. As part of the process, participants will review issues identified during the Listening Sessions and topic scan discussions.

Plan Drafting

Guided by the draft Vision, draft Plan Principles, draft Goals and Objectives and the issues raised, the plan will be drafted. Drafting will be an iterative, inter-active process between staff, community stakeholders and Commissioners. The result will be an updated Draft CMP that will be presented to the public.

Approval Processes

The Planning Commission will hold Public Hearings to learn of the citizens views on the updated Draft CMP. Both spoken and written testimony will be received and reviewed by the commission before they recommend the Draft CMP to the Mayor and Council for consideration and adoption.